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JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF THE COLONY OF

NEW-YORK.

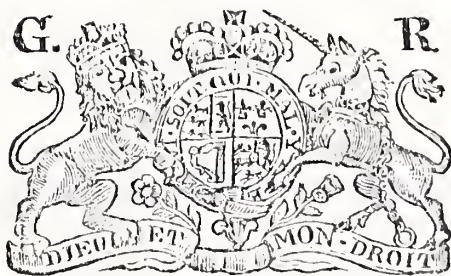
Began the 9th Day of April, 1691;
1691 - 1743

AND

Ended the 27 of September, 1743.

New York 1691 - 1743

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JOURNAL

OF THE

LEGISLATIVE COUNCIL

1891-1892

THE HOUSE OF REPRESENTATIVES

1891

OF THE

STATE



Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and passed without any Amendment

Ordered, that Coll Beekman do acquaint the Assembly that this Board Do Agree to the said Bill without any Amendment

1940016

At a Council held at ffort George in New York, the 27 Day of May, 1717.

In the Afternoon

PRESENT —

His Excell^y ROBT HUNTER, Esq^r, &c.,

Col D'PEYSTER,
Capt^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLEY,
Doctor JOHNSTON.

His Excellency having sent the Deputy Secretary to Require the Attendance of the Assembly at the Council Chamber Immediately and they being Come His Excell^y gave his Assent to the following Bills Enacting the same and ordered them to be Enrolled viz^t

An Act for the Restraineing the takeing of Extravagant and Excessive Usury

An Act to Enable Mary the Widdow and Executrix of John Corbett Deceased to Convey and Assure a certaine Dwelling House and Tenement and the Ground thereunto belonging scituate and being on the West side of the Broad Street in the City of New York

An Act Declareing a Sloop now upon the Stocks in the Colony of Connecticutt belonging to M^r Jacob Moene free from the Duty of Tonnage.

An Act Declaring the Sloop called *the Good Intent* Built at New port in Rhode Island belonging to Mess^{rs} Benjamin flannell, Thomas Bayeux, Andrew fresneau and David Minivielle free from the Duty of Tonnage

An Act for Building a County House and prison in Dutches County

An Act for Annexing that part of the Mannor of Livingston which now Lyes in Dutches County unto the County of Albany

An Act Reviveing An Act Entituled, for the better Settling the Militia of this province and makeing it more usefull for the security and Defence thereof and for Repealing all former Acts heretofore made in this province Relateing to the same

An Act Reviveing An Act Entituled, An Act for Encourageing the Indian Trade att Albany.

An Act for Exempting the Pinke *Charlotte* from paying the Duty of Tonnage

An Act to clear a Sloop upon the Stocks in the province of New Jersey belonging to Coll John Johnston from the Duty of Tonnage.

And then his Excell^y went with the Council and Assembly to the City Hall and published all the Aforesaid Bills Except the Bill Entituled, An Act for the Restraining the taking of Extravagant and Excessive Usury which his Excell^y thought fitt to Deferr the publication for some time

SEVENTEENTH ASSEMBLY FOURTH SESSIONS

At a Council held at ffort George in New York, this 5th Day of September, 1717.

PRESENT —

His Excell^y ROBT HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r BARBERIE,
M^r CLARKE.

The Bill Entituled, An Act Exempting the Sloop *Mary and Hannah* from paying the Duty of Tonnage, sent from the Assembly to this Board for their Concurrence was Read the first time and

Ordered to be Read a Second time

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Mr Phillipse and Doctor Johnston took their places

Upon Reading the petition of Sam: the Late Negroe Slave of George Norton Deceased concerning his freedom,*

It is Recommended to the Gentl^m of this Board or any five of them to prepare and bring in a Bill for the Explaining and Rendring more effectual the Act of Assembly Relating to the Regulation of Negroes.

At a Council held at ffort George in New York, the 16th Day of Sep^r, 1717.

PRESENT —

His Excell^y ROBERT HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

Mr PHILLIPSE,
Mr BYERLEY,
Doctor JOHNSTON.

The Bill Intituled, An Act for Exempting the Sloop *Mary and Hannah* from paying the Duty of Tonnage was Read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for Exempting the Snow or vessell called *the Leghorn* from paying the Duty of Tonnage, passed by the Assembly and sent up to this Board for their Concurrence, was Read the first time and

Ordered, to be Read a Second time

The Bill Entituled, An Act for Exempting the Snow or Vessell called *the Leghorn* from paying the Duty of Tonnage was Read the Second time and committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the 26th Day of Sep^r, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
Mr BARBERIE,

Mr PHILLIPSE,
Mr BYERLEY.

Cap^t Walter for Coll D'peyster Reported from the Committee to whom was committed the Bill Entituled, An Act Exempting the Snow or Vessell Called *the Leghorne* from paying the Duty of Tonnage That they have gone through the Same without any Amendment

Ordered, the Said Bill be Read the Third time

Then the Said Bill was Read the Third time and past without any amendment

Ordered, that Cap^t Walter do Acquaint the Assembly that this Board do agree to the Said Bill without any Amendment

Coll D'Peyster and Mr Van Dam took their places at the Board

Gerrardus Beekman Reported from the Committee to whom was Committed the Bill Entituled, An Act Exempting the Sloop *Mary and Hannah* from paying the Duty of Tonnage that they have Gone through the Same without any amendment

Ordered, the Said Bill be Read the Third time

Then the Said Bill was Read the Third time and Agreed to by this Board without any Amendment

* To His Excellency ROBERT HUNTER Esq^r Captain General and Governour in Chief of the Province of New York, New Jersey and Territories depending thereon in America and Vice Admiral of the same &c

The Humble Petition of Sam the late negro Slave of George Norton Deceased.

Most humbly Sheweth

That George Norton in his Life Time by his last Will and Testament in Writing, gave to your poor Petitioner his Freedom from Slavery, and Thirty Pounds in money as also one negro man named Robin; But so it is May it Please your Excellency That Mr Ebenezer Willson the Executor of George Norton Deceased will neither pay your poor Petitioner the Thirty Pounds nor let him have sd negro Robin, altho he has not (as your Excellencys Petitioner is Inform'd) Inventory'd sd negro Robin as part of sd George Nortons Estate. An! yet in the Winter when sd negro wants Cloaths he is forced to come to your poor Petitioner for a Supply. And so also when he is sick or Lame he has come to your sd Petitioner several Times and lain upon him for a month at a time. But so soon as he is well and able to work Mr Wilson takes him away and Impleys him in his own Service.

Wherefore your Poor Petitioner humbly pray That your Excellency wou'd be favourably pleased to take New York his Suffering Case into your Consideration and find out some way (as in your great Wisdom you shall Sept. 5, 1717 see meet) to induce said Executor to do Right and Justice to your poor Petitioner in the Case set forth. And your Poor Petitioner as in Duty bound shall ever pray.

N. Y. Col. Manuscripts, LX, 172.

SAM 
mark

Ordered, that Coll Beekman do Acquaint the Assembly that this Board doe Agree to the Said Bill without any Amendment

The Bill Entituled, An Act for Explaineing and Rendring more Effectuall An Act of the Generall Assembly of this Colony Entituled, An Act for preventing, Suppressing and punishing the Conspiracy and Insurrection of Negroes and other Slaves, was Read the first time and

Ordered to be Read a Second time

At a Council held at ffort George in New York, the 10th Day of October, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r BARBERIE,
Doctor JOHNSTON.

The Bill Intituled, An Act for Explaineing and Rendring more Effectual An Act of the Generall Assembly of this Colony Entituled, An Act for preventing Suppressing and punishing the Conspiracy and Insurrection of Negroes and other Slaves, was Read the Second time and

Ordered to be Read a Third time

At a Council held at ffort George in New York, the 12th Day of October, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

The Bill Intituled, An Act for Annulling and makeing Void a fraudulent Conveyance of Mary Davenport made by her when she was Sole by the Name of Mary Miseroel to one James Brown, of Certaine Lands Goods and Chattells late belonging to John Miseroel her former husband Deceased, passed by the Assembly and Sent up to this Board for their Concurrence, was Read the first time and

Ordered to be Read a Second time

The Bill Intituled, An Act for Explaineing and Rendring more Effectual An Act of the Generall Assembly of this Colony Intituled, An Act for preventing suppressing and punishing the Conspiracy of Negroes and other Slaves, was Read the Third time and agreed to by this Board

Resolved, the Bill doe pass

Ordered, that Coll Schuyler doe carry the said Bill to the Assembly for their Concurrence

At a Council held at ffort George in New York, the 17th Day of October, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r VAN DAM,
M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

The Bill Intituled, An Act to Invest the property of a certaine Dwelling house and Ground thereunto belonging in the City of New York in Daniel and Christopher the Sons of Daniel Robert Deceased, passed by the Assembly and Sent up to this Board for their Concurrence, was Read the first time and

Ordered to be read a second time.

Coll Schuyler Reported from the Committee to whom was Committed the Bill Intituled, An Act for paying Johannes Jansen, David provoost and Leonard Lewis Esqrs the Arrears Due to them for their services in the Generall Assembly as Representatives for the City and County of New York, that they have Gone through the same and have made severall Amendments thereto which were Read and agreed to by this Board

Ordered, the said Bill with the Amendments be Read the Third time

Then the said Bill with the Amendments was Read the Third time and past with the said Amendments

Ordered, that Coll Schuyler do carry the said Bill with the Amendments to the Assembly and Acquaint them that this Board do agree to the said Bill with severall Amendments to which they Desire the Concurrence of that house.

Coll Schuyler Reported from the Committee to whom was Committed the Bill Intituled, An Act for an Allowance to the Representative of the Township of Scheneectady in the County of Albany, That they have Gone through the same and have made an Amendment thereto which was Read and Agreed to by the Board

Ordered, the said Bill with the Amendment be Read the Third time

Then the said Bill with the Amendment was Read the Third time and past with the said Amendment

Ordered, that Coll Schuyler do carry the said Bill to the Assembly and acquaint them that this Board do Agree to the said Bill with an Amendment to which they Desire the concurrence of that house.

A Message from the Assembly by Mr Livingston that the Assembly Desire his Excellency will appoint a Committee of this Board to meet a Committee of the Assembly on a Conference in Relation to the Debts of the Government. Whereupon It is

Ordered, that the Gentlemen of this Board or any five of them be a Committee to meet the said Committee of the Assembly on the said Conference at the house of Mr Macklenan at five of the Clock this Evening

The Bill Intituled, An Act for Annulling and makeing void a fraudulent Conveyance of Mary Davenport made by her while she was sole by the name of Mary Miseroel to one James Brown of certaine Lands Goods and Chattells late belonging to John Miseroel her former husband Deceased

Ordered, to be Read a second time the next Councill.

At a Councill held at ffort George in New York, the 21th Day of October, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Cap^t WALTER,
Coll BECKMAN,

Mr BARBERIE,
Mr BYERLEY,
Doctor JOHNSTON.

Coll D'peyster took his place at the Board

His Excellency Communicated to this Board an Address of the Generall Assembly of New York in Relation to a paper Entituled, *A Memorial of Severall Agreivances and Oppressions of his Majesties Subjects in the Colony of New York in America.*

Whereupon It is Referred to the Gentlemen of this Board or any five of them to consider of the said Memorial and Address and in what manner it will be proper to Joyne with the Assembly (according to their Desire in the said Address) in direction and Instrinctions to the Agent to find out the offender and make application to his Majesties Ministers in order to his being brought to Justice

The petition of David Jamison Esq^r Comm^r for Exceuteing the Office of Attorney Generall of the province of New York, praying this Board to Recommend his Case to the consideration of the Generall Assembly for a Recompence for his Services, being Read,

This Board thereupon Recommends the said petition to the consideration of the Generall Assembly to make such Recompence to the petitioner as they shall Judge Reasonable

The Bill Intituled, A Act for paying the Executors of Thomas Codrington Esq^r the Arrears due for his Service in Generall Assembly from the fourteenth of June Seaventeen hundred and five till the Twenty Seaventh Day of September Seaventeen hundred and eight, passed by the Generall Assembly and sent up to this Board for their Concurrence was Read the first time and

Ordered to be read a Second time.

The Bill Intituled, An Act to Invest the property of a certaine Dwelling house and Ground thereunto belonging in the City of New York in Daniel and Christopher the Sons of Daniel Robert Deceased, was Read the Second time and committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act for Annulling and makeing voyd a fraudulent Conveyance of Mary Davenport made by her while she was sole by the name of Mary Miseroel to one James Brown of certain Land Goods and chattles late belonging to John Miseroel her former husband Deceased, was Read a Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the 24th Day of October, 1717.

PRESENT —

His Excell^y ROBT HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Cap^t WALTER,
Coll BECKMAN,

M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

A Message from the Assembly by M^r Cuyler with the Bill Intituled, An Act for an allowance to the Representative of the Township of Schenectade in the County of Albany, to Acquaint this Board that that house do agree to the Amendments made by this Board to the said Bill and also that that house have made another amendment to the said Bill and Desire the Concurrence of this Board thereto

Ordered, the said Bill with the said Amendment made thereto by the Assembly be Read, which was Read and agreed to by this Board

Ordered, that Coll Schnyler doe Acquaint the Assembly that this Board do agree to the said Amendm^t made by that house to the said Bill.

The Bill Entituled, An Act for paying the Executors of Thomas Codrington Esq^r the Arrears Due for his services in the Generall Assembly from the fourteenth of June seaventeen hundred and five to the twenty seaventh of September seaventeen hundred and Eight was Read the Second time and Committed.

At a Council held at ffort George in New York, the 26th Day of October, 1717.

PRESENT —

His Excell^y ROBERT HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll DEPEYSTER,
Cap^t WALTER,

Coll BECKMAN,
M^r VAN DAM,
Doctor JOHNSTON.

The Bill Entituled, An Act for Regulating the flerry between the City of New York and the Island Nassaw, passed by the Assembly and sent up to this Board for their Concurrence, was Read the first time and

Ordered to be Read a Second Time

John Johnston Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for paying the Executors of Thomas Codrington Esq^r the Arrears due for his service in the Generall Assembly from the fourteenth of June Seaventeen hundred and five till the Twenty seaventh Day of September Seaventeen hundred and eight, That they have Gone through the said Bill and made severall Amendments thereto which were Read and agreed to by the Board

Ordered, the said Bill with the Amendments be Read a Third time

Then the said Bill with the Amendments was Read the Third time and past with the said Amendments

Ordered, that Doctor Johnston do Carry the said Bill with the Amendments to the Assembly and Acquaint them that this Board Do Agree to the said Bill with some Amendments to which they Desire the Concurrence of that house.

A Message from the Assembly by M^r Carrell Hansen with the Bill Intituled, An Act for paying Johannes Jansen, David provoost and Leonard Lewis Esq^{rs} the Arrears Due to them for their services in the Generall Assembly as Representatives for the City and County of New York acquainting this Board that that house do agree to the Amendment made by this Board to the said Bill

At a Council held at ffort George in New York, the 30th Day of October, 1717.

PRESENT —

His Excell^y ROBERT HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Cap^t WALTER,
Coll BECKMAN,

M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

A Message from the Assembly by Cap^t Lewis that that house do agree to the Bill Intituled, An Act for Explaining and Rendring more Effectual An Act of the Generall Assembly of this Colony Entituled, An Act for preventing, suppressing and punishing the Conspiracy and

Insurrection of Negroes and other Slaves, passed by this Board and sent up to the Assembly for their concurrence without any Amendment

Mr Van Dam took his place at the Board

Ordered, that the Deputy Secretary Acquaint the Assembly that this Board Desires that house will take into their consideration the Message formerly sent by this Board to that house Relating to the Appointing proper persons for the Division Line between this Colony and the province of New Jersey, His Excell^y being Assured that the Legislature of the said province of New Jersey will bear halfe the Expense thereof

The Bill Intituled, An Act for Regulatig the ferry between the City of New York and the Island Nassaw was Read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the 31 Day of October, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

John Johnston Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for Regulateng the ferry between the City of New York and the Island Nassaw, That they have Gone through the Same Bill and have made Severall Amendments thereto which he Delivered in to this Board

Ordered, the said Bill with the Amendment be Read the Third time

Then the Said Bill with the Amendments was Read the Third time and past with the Said Amendments

Ordered, that Doctor Johnston do carry the Said Bill with the Amendments to the Assembly and Acquaint them that this Board do Agree to the Said Bill with Some Amendments to which they Desire the Concurrence of that house

At a Council held at ffort George in New York, the first Day of Nov^r, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

A Message from the Assembly by Alderman Jansen with the Bill Entituled, An Act for Regulatig the ferry between the City of New York and the Island Nassaw, Acquainting this Board that that house do agree to the Amendments made by this Board to the Said Bill

The Bill Intituled, An Act to Encourage the Destroying foxes and Wild Catts in Kings County, Queens County and County of Suffolk, was Read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the first Day of Nov^r, 1717.

PRESENT —

His Excell^y ROBERT HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Coll BEEKMAN,

M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

Coll D'peyster Reported from the Committee to whom was Committed the Bill Intituled, An Act to Encourage the Destroying of foxes and Wild Catts in Kings County, Queens County and County of Suffolk, That they have Gone through the Same without any Amendment

Ordered, the Said Bill be Read the Third time

Then the Said Bill was Read the Third time and passed without any Amendment

Ordered, that Coll D'peyster do Acquaint the Assembly that this Board doe Agree to the Said Bill without any Amendment

A Message from the Assembly with the Bill Intituled, An Act for paying the Executors of Thomas Codrington Esq^r the Arrears Due for his service in Generall Assembly from the fourteenth of June Seaventeen hundred and five till the Twenty Seaventh Day of September seaventeen hundred and Eight acquainting this Board that that house doe Agree to the Amendments made by this Board to the said Bill

At a Councill held at ffort George in New York, the Second Day of Nov^r, 1717

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll SCHUYLER,
Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE.
M^r BYERLEY,
Doctor JOHNSTON.

The Report of the Committee appointed to Consider of the paper Intituled, *A Memorial of severall Agrievances and Oppressions of his Majesties subjects of the Colony of New York in America*, as also of An Address of the Generall Assembly of New York in Relation to the said Memorial, was Read and Agreed to by the Board

His Excellency having sent the Deputy Clerk of the Councill to the Assembly to Require their Attendance immediately in the Councill Chamber, and the Assembly being come his Excellency Gave his Assent to the following bills Enacting the same and ordered them to be Enrolled viz^t

An Act Exempting the Snow or vessell called *the Leghorn* from paying the Duty of Tonnage

An Act Exempting the Sloop *Mary and Hannah* from paying the Duty of Tonnage

An Act for Explaineing and Rendring more Effectual An Act of the Generall Assembly of this Colony Entituled, An Act for preventing, suppressing and punishing the Conspiracy and Insurrection of Negroes and other Slaves

An Act for paying Johannes Jansen, David Provoost and Leonard Lewis Esq^{rs} the Arrears due to them for their services in the Generall Assembly as Representatives for the City and County of New York.

An Act for an Allowance for the Representative of the Township Schenectadie in the County of Albany

An Act for Regulateing the Ferry between the City of New York and the Island Nassaw

An Act for paying the Executors of Thomas Codrington, Esq^r the Arrears Due for his service in the Generall Assembly from the fourteenth of June Seaventeen hundred and five till the seaventh Day of September Seaventeen hundred and Eight

An Act to Encourage the Destroying of Foxes and Wild Catts in Kings County, Queens County and County of Suffolk

And then his Excellency went with the Councill and Assembly to the City Hall and published the said Acts, as also

The Act for the Restraining the takeing of Extravagant and Excessive Usury which was assented to by his Excellency on the Twenty seaventh Day of May last, but Deferred publishing untill now.*

At a Councill held at ffort George in New York, the Seaventh Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r BYERLEY,
Doctor JOHNSTON.

The Bill Intituled, An Act for Letting to flarme the Excise of this Colony for the Terme of five years and to Enable the flarmers thereof Effectually to Collect the same passed by the Assembly and sent up to this Board for their Concurrence was Read the first time and

Ordered to be Read a Second time

Gerrardus Beekman Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for Annulling and making voyd a fraudulent Conveyance of Mary Davenport made by her while she was Sole by the name of Mary Miseroel to one James Brown of Certain Lands, Goods and Chattles late belonging to John Miseroel her former husband Deceased That

* The reference, in the note, on page 407, to this page, ought to be 417, not 411.

they have Gone through the Bill and having heard the parties thereupon are humbly of opinion that the Said Bill do Lye upon the Table

Whereupon It is the opinion of this Board that the Said Bill do Lye upon the Table

The Bill Intituled, An Act for Letting to Harne the Excise of this Colony for the Terme of five years and to Enable the Harners thereof Effectually to Collect the Same was Read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the Eighth Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
M^r VAN DAM,
M^r BARBERIE,

M^r BYERLEY,
Doctor JOHNSTON.

Ordered, that the Deputy Secretary doe Acquaint the Assembly that this Board do Desire that house will appoint a Committee [to meet a Committee] of this Board at the house of M^r Parmiter at Three a Clock this Afternoon on a Conference on the Subject matter of the Bill for Letting to Harne the Excise

Ordered, that the Gentlemen of this Board or any five of them be a Committee to meet a Committee of the Assembly for that purpose

John Barberie Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act to Invest the property of a Certaine Dwelling house and Ground thereunto belonging in the City of New York in Daniel and Christopher the Sons of Daniel Robert Deceased, That they have Gone Through the said Bill and have made Some Amendments thereto which he Read in his place and afterwards Delivered the Same into the Board, which were Agreed to by the Board

Ordered the Said Bill with the Amendments be Read the Third time

Then the Said Bill with the Amendments was Read the Third time and passed with the Said Amendments

Ordered, that M^r Barberie do Carry the Said Bill with the Amendments to the Assembly and Acquaint them that this Board do Agree to the Said Bill with Some Amendments to which they Desire the Concnrence of that house

At a Council held at ffort George in New York, the 9th Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r PHILLIPSE,
M^r BYERLEY,
Doctor JOHNSTON.

Rip Van Dam Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for Letting to Harne the Excise of this Colony for the Terme of five years and to nable the Harners ther eof Effectually to Collect the Same That they have Gone Through the Same and have made Some Amendments thereto which were Read and agreed to by the Board

Ordered, the Said Bill with the Amendments thereto be Read a third Time

Then the Said Bill with the Amendments thereto was Read the Third time and passed with the Said Amendments

Ordered, that M^r Van Dam do Carry the Said Bill with the Amendments to the Assembly and Acquaint them that this Board do Agree to the Said Bill with Some Amendments to which they Desire the Concurrence of that house

His Excellency Communicated to this Board a Letter he Just now Received from the Commissioners of the Indian Affaires Dated the 6th Nov^r Instant, with the minutes of the Said Commissioners of the 2^d of Nov^r Instant, which this Board is of opinion Deserves the Consideration of the Generall Assembly and doe thereupon Order that the Same be laid before the Assembly for their Consideration

His Excellency having Sent the Deputy Secretary to Require the Attendance of the Assembly and they being come his Excellency gave his assent to the following Bill Enacting the Same and ordered it to be Enrolled viz^t

An Act Entituled, An Act for Letting to Harne the Excise of this Colony for the Terme of five years and to Enable the Harners thereof Effectually to Collect the Same

And then his Excellency went with the Assembly to publish the Said Act

At a Council held at ffort George in New York, the 21th Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r BYERLEY,
Doctor JOHNSTON.

The Report of the Committee of this Board appointed to Consider of a Certain printed paper Intituled, *A Memorial of Severall Agrievances and Oppressions of his Majesties Subjects in the Colony of New York in America*, as also of An Address of the Generall Assembly of New York in Relation to the Said Memorial, and to Report to this Board in what manner it will be proper to Joyne with the Assembly (according to their Desire in the Said address) In Directions and Instructions to the Agent to find out the offender and to make applycation to his Majesties ministers in order to his being brought to Justice, being now taken into Consideration

This Board highly approving of the Said Address do Desire the Assembly that they will appoint a Committee of their house to Joyne with a Committee of this Board to prepare such Instructions to the Agent as may be proper to find out the Offender and to make applycation to the Ministry that he may be brought to Justice, and

It is the opinion of this Board that Another printed paper Signed Samuell Malford and Intituled, *An Information*, be likewise Communicated to the Assembly and Desire that they will Likewise Recommend it to the Consideration of their Said Committee, as this Board does also to the Committee of this Board, and the Gentlemen of the Council or any five of them are hereby appointed a Committee accordingly, and this Board do Desire that the Said Committee of the Assembly will meet the Said Committee of this Board at the house of M^r Parmiter to morrow at five of the Clock in the Evening for the purposes aforesaid

At a Council held at ffort George in New York, the Twenty ninth Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Capt^l WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

The Bill Intituled, An Act for paying and Dischargeing the severall Debts due from this Colony to the persons therein named and for Raising and putting into the hands of the Treasurer of this Colony severall Quantities of plate to be applyed to the publick and necessary uses of this Colony and to make Bills of Credit to the vallue of Thirty seven Thousand Six hundred ounces of plate for that purpose, passed by the Assembly and sent up to this Board for their concurrence was Read the first time and

Ordered to be read a Second Time.

Gerrardus Beekman Esq^r Reported from the Committee to whom was committed the Bill Intituled, An Act to prohibitt the Exportation of Raw Hides from this Colony, That they have Gone through the said Bill and have made severall Amendments thereto which were Read and Agreed to by this Board

Ordered, the said Bill with the Amendments thereto be Read the Third time

Then the said Bill with the Amendments thereto was Read the Third time and Agreed to by this Board

Ordered, that Coll Beekman doe carry the said Bill with the Amendments made thereto by this Board to the Assembly and Acquaint them that this Board do Agree to the said Bill with some Amendments to which they Desire the Concurrence of that house

At a Councill held at ffort George in New York, the 30th Day of November, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLEY,
Doctor JOHNSTON.

His Excellency communicated to this Board a Representation of the Grand Jury of this City against passing the Bill Intituled, An Act for paying and Dischargeing the severall Debts due from this Colony to the persons therein named

The Bill Intituled, An Act for paying and Dischargeing severall Debts Due from this Colony to the persons therein named and for Raising and putting into the hands of the Treasurer of this Colony severall Quantities of plate to be applied to the publick and necessary uses of this Colony and to make Bills of Creditt to the value of Thirty Seven Thousand six hundred ounces of plate for that purpose, was Read the second time and committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act for the better Ascertainning the Devision Line between Kings and Queens County on the Island Nassaw passed by the Assembly and sent up to this Board for their Concurrence was Read the first time and

Ordered to be read a Second time

A Message from the Assembly by Coll provoost Acquainting this Board, That that house being informed there is a petition or Address presented to his Excellency Relating to the Bill Intituled, An Act for paying and Discharging the severall Debts due from this Colony to the persons therein named and passed by that house on Thursday last and Desireing that the same may be communicated to the Assembly

Whereupon his Excellency sent the aforesaid Representation of the Grand Jury to his Excellency Relateing to the said Bill by the said Coll Provoost to be communicated to the Assembly

The Bill Intituled, An Act for the better ascertainning the Division Line betweene Kings and Queens County on the Island Nassaw was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Memorial of James Dixon Esq^r Collector and Receiver Generall of New York being Read, setting forth that his Majesties Custome house being Intirely out of Repair and in Danger of Falling insomuch that a presentment of the Grand Jury has lately been made against it, and that understanding a Bill is now Depending before this Board towards making a provision for publick uses and Desireing that an Estimate may be made and thereupon such an allowance be Given, for a Thorow Repaire as shall be thought fit.

Whereupon It is Referred to the Gentlemen of this Board or any five of them to Consider of the said Memorial and make their Report thereof to this Board what will be proper to be Done therein

A Message from the Assembly with the Bill Intituled, An Act to prohibitt the Exportation of Raw Hides from this Colony acquainting this Board that that house have agreed to the amendments made by this Board to the said Bill

The Bill Intituled, An Act for y^e further Enabling Thomas Whitehead to sell and Dispose of some part of y^e Lands Devised to him by his ffather under the Limitation of a Generall Intaile, passed by the Assembly and sent up to this Board for their Concurrence was Read y^e first time and

Ordered to be Read a second time

At a Councill held at ffort George in New York, the 9th Day of December, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

The Bill Intituled, An Act Reviving An Act Entituled, An Act prohibitting all persons but John Parmiter and his assigns to make Lamb Black During the space of five yeares passed by the Assembly and sent up to this Board for their Concurrence was Read the first time and

Ordered to be Read a second time

The Bill Intituled, An Act for the further Enabling Thomas Whitehead to sell and Dispose of some part of the Lands Devised to him by his Father under the Limitation of a Generall Intail, was Read the second time and Committed to the Gentlemen of this Board or any five of them.

At a Council held at ffort George in New York, the 18th Day of December, 1717.

PRESENT —

His Excell^y ROBERT HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r PHILLIPSE,
M^r CLARKE,
Doctor JOHNSTON.

George Clarke Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for paying and Dischargeing severall Debts Due from this Colony to the persons therein named and for Raising and putting into the hands of the Treasurer of this Colony severall Quantities of plate to be applied to the publick and necessary use of this Colony and to make Bills of Credit to the value of Thirty seven Thousand six hundred ounces of plate for that purpose, That they have Gone through the said Bill and have made some amendments thereto which were Read and agreed to by the Board.

Ordered, the said Bill with the Amendments be Read the Third time.

Then the said Bill with the Amendments was read the Third time and past with the said Amendments

M^r Phillipse Enters his Dissent against passing the said Bill.

Ordered, that M^r Clarke do Carry the said Bill with the Amendments to the Assembly and Acquaint them that this Board do agree to the said Bill with some Amendments to which they Desire the Concurrence of that house

The Bill Intituled, An Act Reviveing An Act Intituled, An Act prohibiting all persons but John Parmiter and his Assignes to make Lamb Black During the space of five years was Read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at ffort George in New York, the 20th Day of December, 1717.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

A Message from the Assembly by M^r Livingston with the Bill Intituled, An Act for paying and Discharging Severall Debts due from this Colony to the persons therein named and for Raising and putting into the hands of the Treasurer of this Colony severall Quantities of plate to be applied to the publick and necessary uses of this Colony and to make Bills of Creditt to the vallue of Thirty Seaven Thousand Six hundred Ounces of plate for that purpose, together with the Amendments made by the Council to that Bill and to Acquaint this Board, That that house have Agreed to severall amendments made by this Board and Disagreed to others

Resolved, that this Board do agree to the amendments made by that house to the amendments made by this Board to the said Bill and that this Board doe adhere to the Amendments made by them to the said Bill

Ordered, that M^r Clarke do Carry the said Bill with the Amendments thereto to the Assembly and acquaint them with the said Resolution of this Board

Cap^t Walter Reported from the Committee to whom was Committed the Bill Intituled, An Act Reviveing An Act Entituled, An Act prohibiting all persons but John Parmiter and his Assignes to make Lamb Black During the Space of five years, that they have Gone through the said Bill without any Amendments

Ordered, the said Bill be Read the Third time

Then the said Bill was Read the Third time and past without any Amendment.

Ordered, that Cap^t Walter do acquaint the Assembly that this Board do agree to the said Bill without any Amendment

Coll Beekman Reported from the Committee to whom was Committed the Bill Intituled, An Act for the farther Enabling Thomas Whitehead to Sell and Dispose of some part of the Lands Devised to him by his Father under the Limitation of a Generall Intail, that they have gone through the said Bill without any Amendment

Ordered, the said Bill be Read the Third time

Then the said Bill was Read the Third time and past without any Amendment

Ordered, that Coll Beekman do Acquaint the Assembly that this Board doe agree to the said Bill without any Amendment

A Message from the Assembly Returning back the Bill Intituled, An Act for paying and Discharging severall Debts Due &c with the Amendments made by the Councill acquainting this Board That that house doe Insist on the Amendments made by that house to the Amendments made by this Board to the said Bill

And at the same time the Said M^r Livingston Acquainted this Board that the Assembly Directed him to Acquaint this Board that the wavering all formalities and the Season of the year not admitting it, Desire that this Board will appoint a Committee to meet them in a free Conference on the Subject matter of the aforesaid amendments, and thereupon this Board Desired him to Acquaint the Assembly or Such of them as they should appoint at a free Conference accordingly at the house of M^r Braisier at Six a Clock this Evening

At a Councill held at ffort George in New York, the 21th Day of December, 1717.

PRESENT—

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLEY,
M^r CLARKE,
D^r JOHNSTON.

Ordered, that M^r Wileman Deputy Secretary doe Acquaint the Assembly that this Board Waiveing all manner of formalities doe Desire That that house will appoint a Committee of their house to meet a Committee of the Gentlemen of this Board at the house of M^r Braisier on a free Conference on the Subject matter of the last Conference on the Amendments to the Bill Intituled, An Act for paying and Discharging Severall Debts &c

At a Councill held at ffort George in New York, the 21th Day of December, 1717.

PRESENT—

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

Ordered, that M^r Clarke do Acquaint the Assembly That this Board do agree to the Bill Intituled, An Act for paying and Dischargeing Severall Debts &c with the Amendments Agreed to by that house and the Amendments Agreed upon by the Committees of both houses, and that the Bill will be Accordingly Amended.

At a Councill held at ffort George in New York, the 23th Day of December, 1717.

PRESENT—

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r BARBERIE,
M^r PHILLIPSE,
D^r JOHNSTON.

His Excellency having Sent the Deputy Secretary to Require the Attendance of the Assembly Immediately at the Councill Chamber and the Assembly being Come his Excellency Gave his Assent to the following Bills Enacting the Same and ordered them to be Enrolled viz^t

An Act for paying and Dischargeing Severall Debts due from this Colony to the persons therein named and for Raising and putting into the hands of the Treasurer of this Colony Severall Quantities of plate to be applyed to the publick and necessary uses of this Colony and to make Bills of Credit to the value of florty One Thousand five hundred and Seaventeen Ounces of plate for that purpose.

An Act to prohibitt the Exportation of Raw hides from this Colony

An Act to Invest the property of a Certain Dwelling house and Ground thereunto belonging in the City of New York in Daniel and Christopher the sons of Daniel Robert Deceased

An Act Reviving An Act Intituled, An Act prohibiting all persons but John Parmiter and his assigns to make Lamb Black During the space of five years

An Act for the further Enabling Thomas Whitehead to sell and Dispose of some part of the Lands Devised to him by his flather under the Limitation of a Generall Intaile

[N. Y. Col. MSS., LXXI, 18.]

By his EXCELLENCEY

ROBERT HUNTER Esq^r Cap^t Generall and Governour of the provinces of New York New Jersey and Territories thereon Depending in America and Vice Admirall of the same &c

A PROCLAMATION.

WHEREAS the Generall Assembly of the said province of New York stands adjourned to this Day but their not being a Number of the members of the said Assembly yet come to Town sullicient to make a House I Have therefore for his Majesties service thought fitt further to adjourne the said Generall Assembly, And I Doe by vertue of the power and authority unto me Granted by his Majesty under the Broad seal of Great Brittain hereby flurther adjourne the said Generall Assembly of the said province of New York untill Monday the Twenty sixth Day of May Instant Whereof all his Majesties subjects in the said province are to take notice and Govern themselves accordingly.

Given under my hand and seal at flort George in *New York* the One and Twentieth Day of May in the flourth year of the Raigne of our Sovereigne Lord George by the Grace of God of Great Brittain France and Ireland King Defender of the flaitb &c Annoq Dni 1718

Ro: HUNTER.

SEVENTEENTH ASSEMBLY FIFTH SESSIONS.

At a Councill held at flort George in New York, the 27th Day of May, 1718,
At Three a Clock in y^e Afternoon.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll DE PEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLEY.

His Excellency acquainted this Board that he had Received a Letter from M^r Nicoll Speaker of the Assembly and had seen his Letter Directed to the Gentlemen of the Assembly wherein he had Desired to be Discharged from that service he not having Health and Strength to perform it, and that the publek Affaires might not be Hindred his Excell^y had directed the Assembly to make Choice of a person to Succeed him, and his Excell^y having been acquainted by their Clerk that the Assembly had made choice of Robert Livingston Esq^r to be their Speaker and his Excell^y thereupon having ordered the Attendance of the Assembly,

The House accordingly attended and presented said Robert Livingston to his Excellency for his approbation who approved of their choice.

Then Mr Speaker in the name of the House prayed his Excellency would Continue to them their ancient Rights and priviledges which were,

Freedom from arrests for themselves and serv^{ts} During their Sessions;

Freedom of Access to his Excellency on all occasions Relating to his Majesties service and the wellfare of this Colony and that if he in any applycation to his Excellency in the name of that House should Happen to mistake their meaning That his Excellency would give him leave to Returne to them for a fuller Information and pardon the Errors he had committed, and in Case any Doubt should arise upon votes or orders of that House, his Excellency would give them Leave to Explain themselves, and put the most favourable Constructions of their words, and if any of their members should offend in matters Relating to that House That they only might correct them, which were Granted.

At a Councill held at ffort George in New York, y^e 11th Day of June, 1718.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll DE PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLEY.

The Bill Entituled, An Act for Annulling and makeing voyd a fraudulent conveyance of Mary Davenport made by her while she was sole by the name of Mary Miserole to one James Brown of Certain Lands Goods and Chattells late belonging to John Miserole her former Husband Deceased was Recommitted to the Gentlemen of this Board or any five of them

At a Councill held at ffort George in New York, the 17th Day of June, 1718.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE
M^r PHILLIPSE,
M^r BYERLEY.

A Message from the Assembly by Cap^t Bud acquainting this Board that that House have passed a Bill Intituled, An Act to prevent small Stallions Running at Large and to Geld all Horses under the size therein mentioned, to which they Desire the Concurrence of this Board which Bill was Read the first time and

Ordered to be Read a second time.

At a Councill held at ffort George in New York, the 19th Day of June, 1718.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
M^r BARBERIE,
M^r PHILLIPSE,

M^r BYERLEY,
Doctor JOHNSTON.

A Message from the Assembly by Coll Rutsen Acquainting this Board that that House have passed a Bill Intituled, An Act for settling the Boundaries Between the Lands Granted by patent unto Cornelius Cole, Adrian Geritse, Matthias Ten Eyck, Jacobus Du Bois, Johannes Schepmoes, Roeloff Swartwout, Cornelius Lammerse, Peter Peterse, Lawrence Oosterbont and Jannetie Newkirk scituate Lyeing and being in the County of Ulster commonly called the Town of Hurley and the Lands Granted by patent unto Cap^t Henry Beekman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees in the County of Ulster aforesaid for and on the behalf of the Inhabitants of the Towne of Marble Towne, to which they Desire the Concurrence of this Board

Which Bill was Read the first time and

Ordered to be Read a second time

Coll Beekman and M^r Van Dam took their places at the Board

A Message from the Assembly by M^r Coeman acquainting this Board that that House have passed a Bill Entituled, An Act for Establishing pilotage to which they Desire the concurrence of this Board

Which Bill was Read the first time and

Ordered to be read a Second time.

A Message from the Assembly by Mr Cuyler acquainting this Board that that House have passed a Bill Intituled, An Act for an Allowance to the Representative of the Township of Schenectady in the County of Albany to which they Desire the concurrence of this Board

Which Bill was Read the first time and

Ordered to be read a Second time.

The Bill Intituled, An Act to prevent small Stallions Running at Large and to Geld all Horses under the size therein mentioned was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Intituled, An Act for Settling the Bonudaries Between the Lands Granted by patent unto Cornelius Cole, Adrian Gerritse, Matthias Ten Eyek, Jacobus Du Bois, Johannes Schepmoes Rodolf Swartwout, Cornelius Lommerse, Peter Peterse, Lawrence Oosterhout, and Jaunetie Newkirk Seimute Lyeing and being in the County of Ulster commonly called the Town of Hurley and the Lands Granted by patent unto Coll Henry Beekman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalf of the Inhabitants of the Town of Marble Town in the County of Ulster aforesaid, was Read a Second time and Committed to the Gentlemen of this Board or any five of them

And this Board being acquainted that Mr Bickley was waiting without and had something to offer on behalf of the Trustees of the Town of Marble Town ag^t passing the said Bill

Mr Bickley was called in and thereupon this Board acquainted him that he might be heard before the said Committee what he had to offer, and all parties concerned are to attend the said Committee and to be heard what they have to offer for or against the passing the said Bill

The Bill Intituled, An Act for Establishing Pilotage was Read a Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act for an Allowance to the Representative of the Township of Schenectady in the County of Albany was Read a Second time and Committed to the Gentlemen of this Board or any five of them

Att a Councill held at ffort George in New York y^e 23th Day of June, 1718.

PRESENT —

His Excell^{ty} ROBT HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r BYERLEY,
Doctor JOHNSTON.

A Message from the Assembly by Judge Herring acquainting that that House have passed a Bill Entituled, An Act for Naturalizing Nicholas Caron, Abraham De Casserez, Tobias Boel, Henricus Boel, Jacob Pitt, Jan Pitt and Samuel Richards To which they Desire the Concurrence of this Board

Which Bill was Read the first time and

Ordered to be read a Second time.

A Message from the Assembly that that House have passed a Bill Intituled, An Act for Granting to the freeholders and Inhabitants of the precincts of Katts Kill and Coxhacky in the County of Albany the priviledge of choosing yearly a Supervisor To which they Desire the Concurrence of this Board

Which Bill was Read the first time and

Ordered to be Read a Second time.

A Message from the Assembly by Coll Provoost Acquainting this Board that that House have passed a Bill Entituled, An Act for Reviving An Act of Generall Assembly Entituled An Act for the better settling the Militia of this province and making it more usefull for the security and Defence thereof To which they Desire the Concurrence of this Board

Which Bill was Read a first time and

Ordered to be read a Second time

John Johnston Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act to prevent small Stallions Running at Large and to Geld all Horses under the size therein mentioned That they have gone through the said Bill and have made severall amendments which he Delivered in at the Board

Ordered, the said Bill with the Amendments be Read the Third time

Then the said Bill with the Amendments was Read the Third time and passed with the said Amendments

Ordered, that Doctor Johnston doe carry the said Bill with the Amendments to the Assembly and Acquaint the Assembly that this Board do agree the said Bill with some Amendments to which they Desire the Concurrence of that house

John Barberie Esq^r Reported from the Committee to whom was Committed the Bill Entituled, An Act for Establishing pilotage that they have gone through the said Bill and have made an Amendment thereto which was Read and agreed to by the Board

Ordered, the said Bill with the Amendment be Read the Third time

Then the said Bill with the Amendment was Read the Third time and passed with the said Amendment

Ordered, that M^r Barberie doe carry the said Bill with the Amendment to the Assembly and acquaint them that this Board do agree to the said Bill with an Amendment to which they Desire the Concurrence of that house

The Bill Intituled, An Act for Reviveing An Act of Generall Assembly Entituled, An Act for the better Settling the Militia of this province and makeing it more usefull for the Security and Defense thereof was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

Att a Councill held at ffort George in New York, the 25th Day of June, 1718.

PRESENT—

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll DEFEYSTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r PHILLIPSE,
Doctor JOHNSTON.

Adolph Phillipse Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for Reviveing An Act of Generall Assembly Entituled, An Act for the better Settling the Militia of this province and makeing it more usefull for the Security and Defence thereof That they have gone Through the said Bill without any Amendment

Ordered, the said Bill be read the Third time

Then the said Bill was Read the Third time and passed without any Amendment.

Ordered, that M^r Phillipse do Acquaint the Assembly that this Board do agree to the said Bill without any Amendment

M^r Phillipse for Cap^t Walter Reported from the Committee to whom was Committed the Bill Intituled, An Act for Settling the Boundaries Between the Lands Granted by patent unto Cornelius Cole, Adrian Gerritse, Matthias Ten Eyck, Jacobus Du Bois, Johannes Schepmoes, Roelof Swartwout, Cornelius Lammerse, Peter Peterse, Lawrence Oosterhont and Jannetie Newkirk seituante Lyeing and being in the County of Ulster commonly called the Town of Hurley and the Lands Granted by patent unto Coll Henry Beekman Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalfe of the Inhabitants of the Town of Marbletown in the County of Ulster aforesaid, That they having heard the parties thereupon by their Councill are Humbly of opinion that the said Bill doe Lye upon the Table

Ordered, the said Bill do Lye upon the Table

The Bill Intituled, An Act for Granting to the ffreeholders and Inhabitants of the precincts of Catts Kill and Coxhackey in the County of Albany the priviledge of choosing a Supervisor yearly, was Read a Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act for Naturalizing Nicholas Caron, Abraham De Casserez, Tobias Boel, Hemricus Boel, Jacob Pitt, Jan Pitt, and Samuel Richards was Read a Second time and Committed to the Gentlemen of this Board or any five of them

Att a Councill held at ffort George in New York, the 27th Day of June, 1718.

PRESENT—

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll DEFEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

The Bill Intituled An Act for Annulling and makeing voyd a ffrandulent Conveyance of Mary Davenport made by her while she was sole by the name of Mary Miserole to one James Brown of Certain Lands Goods and Chattells late belonging to John Miserole her former Husband Deceased, to stand Recommitted to the Gentlemen of this Board or any five of them.

John Barberie Esq^r Reported from the Committee to whom was Committed the Bill Intituled,

An Act for Naturalizing Nicholas Caroo, Abraham De Caseres, Tobias Boel, Henriens, Jacob Pitt, Jan Pitt and Samuel Richards that they have gone through the said Bill without any Amendment

Ordered, the said Bill be Read a Third time.

Then the said Bill was Read the Third time and passed without Amendment

Ordered, that Mr Barberie do Acquaint the Assembly that this Board do agree to the said Bill without any Amendment

Ordered, that the Gentle^m of this Board or any five of them be a Committee to meet a Committee of the Assembly on the subject matter of the Message sent yesterday by Doctor Johnston from his Excellency to the Assembly with Relation to Mr Samuel Mulford and that Mr Wileman Deputy Secretary acquaint the Assembly herewith; and that the Council Desire the Committee of the Assembly to meet them accordingly at the House of Mr Jordan at four a Clock this afternoon precisely.

The Bill Entituled, An Act Re-pealing that part of An Act Entituled, An Act for Restraining the taking of Extravagant and Excessive Usury whereby Interest was Reduced to Six p^{c} p^{a} Annum being sent from the Assembly to this Board for their Concurrence was Read the first time and

Ordered to be Read a Second time.

A Message from the Assembly by Mr Terbos that that House do agree to the Bill Amendment made by this Board to the Bill Intituled, An Act to prevent Stallions Running at Large and to Geld all Horses under the Size therein Mentioned

The Bill Entituled, An Act to prevent the Stealing and fraudulent marking and taking up and Selling of Horses within this Colony being Sent from the Assembly to this Board for their Concurrence was Read the first time and

Ordered to be Read a Second time

Att a Council held at ffort George in New York, y^e 30th Day of June, Anno Dni
1718.

PRESENT —

His Excell^y ROB^t HUNTER, Esq^r, &c.,

Coll DE PEYSTER,
Cap^t WALTER,
Coll BECKMAN,
Mr VAN DAM,
Mr BARBERIE,

Mr PHILLIPSE,
Mr BYERLEY,
Mr CLARKE,
Doctor JOHNSTON.

A Message from the Assembly by Alderman Kip bringing back the Bill Entituled, An Act for Establishing Pilotage with the Amendment made thereto by this Board and Acquainting this Board that that House do Agree to the Said Amendment

The Bill Intituled, An Act for Repealing that part of An Act Entituled, An Act for Restraining the taking of Extravagant and Excessive Usury Whereby Interest was Reduced to Six per Cent p^{a} Annum, was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Intituled, An Act to prevent the Stealing and fraudulent markeing and taking up and Selling of Horses within this Colony was Read a Second time and Committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by Coll Hicks Acquainting this Board that that House have passed a Bill Intituled, An Act for Encourgeing the Returnng Nett Cattle and Sheep to their owners to which they Desire the Concurrence of this Board

Which Bill was Read the first time and

Ordered to be Read a Second time

A Message from the Assembly by Mr Carel Hansen Acquainting this Board that that House have passed a Bill Intituled, An Act for Reviveing and Continueing An Act of Generall Assembly Entituled, An Act for Lycenseing Hawkers within this province to which they Desire the concurrence of this Board

Which Bill was Read the first time and

Ordered to be Read a Second time

The Report of this Board appointed to Joyne with the Committ^{ee} of the Assembly on the Message Sent by his Excellency to the Assembly with Relation to Cap^t Samuel Mulford being Read was Agreed to by this Board with Two Amendments

Ordered, that Mr Wileman Deputy Secretary doe Carry the Said Report to the Assembly for their Concurrence

The Bill Entituled, An Act for Settling the Boundaries between the Lands Granted by patent unto Cornelius Coel, Adrian Gerritse, Matthias Ten Eyek, Jacobus Du Bois, Johannes Schepmoes, Roeloff Swartwout, Cornelius Lammerse, Peter Pieterse, Lawrence Oosterhout and

Jannetie Newkirk Seituate Lyeing and being in the County of Ulster Commonly Called the Town of Hurley and the Lands Granted by patent unto Coll Henry Beckman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalfe of the Inhabitants of the Town of Marbl town in the County of Ulster aforesaid was Reconmitted to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for Reviving and Continuing An Act of Generall Assembly Entitled, An Act for Lyeenseing Hawkers and pedlars within this province was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act for Encourageing and Returning Nett Cattle and Sheep to their owners was Read the Second time and Committed to the Gentlemen of this Board or any five of them

Att a Councill held at ffort George in New York, y^e 1st Day of July, 1718.

PRESENT —

His Excell^{ty} ROB^t HUNTER, Esq^r, &c.,

Coll DE PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

A Message from the Assembly by M^r Hendrick Hansen that the Assembly have passed a Bill Entitled, An Act for paying the Quantity of fifty Three Ounces and one Half of plate unto Johannes Van Zant and the Quantity of Twelve Ounces and One Halfe of plate unto Willempe Uytden Bogart Widlow To which they Desire the Concurrence of this House

Which Bill was Read the first time and

Ordered, to be Read a Second time

His Excellency Communicated to this Board a Letter from the Right Hon^{ble} the Lords Commissioners of Trade and plantations of the 11th of October 1717 and Inclosed an additional Instruction to his Excellency Relateing to the not passing Acts which may affect the Trade and Shipping of this Kingdome As also a Warr^t for his using a New Seal sent him for the province of New York under his Excellencies Government

Whereupon It is the opinion of this Board that the same be Communicated to the Assembly

Ordered, the said Instructions and Warr^t be Entered in the minutes of Councill which are as followeth.

Whitchal Octo^r 11th 1717

Sir

His Majesty having signed an additional Instruction to you Relating to the not passing Acts which may affect the Trade and Shipping of this Kingdom, As also a Warrant for Using a New Seal for the province of New York under your Government We herewith transmitt to you the said Instruction, Warrant and Seal and are,

Yo^r very Loving Friends

and Humble Servants

J. Chetwynd
Charles Cooke
P. Doeminique
J Molesworth
D. Pulteney
Martin Bladin

Rob^t Hunter Esq^r

ADDITIONAL INSTRUCTION for our Trusty and welbeloved ROB^t HUNTER Esq^r our Cap^t Generall and Governour in Chief of our province of New York and the Territories Depending thereon in America, or for the Commander in Chief, of the said province for the time being.

Given at our Court at *Hampton Court* the 27th day of *Septem^r* 1717 in the fourth year of our Reign

GEORGE R.

WHEREAS by our Instruction to you, you are Required not to pass any Law of an Extraordinary or unusual Nature and Importance whereby our prerogative or the property of our Subjects may be prejudiced without having either first transmitted unto us the Draught of such a Bill or Bills, and our having signified our Royal pleasure thereupon, or that you take care in the passing of any act of an unusual and Extraordinary Nature that there be a clause Inserted therein Suspending and Deferring the Execution thereof untill our pleasure be known

concerning the said Act. It is our further will and pleasure that you do not for the future pass any Act which may any ways affect the Trade or Shipping of this our Kingdom without a clause expressly Declaring that the said act shall not be in force until it be approved and confirmed by us, our Heirs and Successors, and you are to signify our pleasure herein to the Council and Assembly of our province of New York under your Government and to take care that the same be punctually observed for the future upon pain of our highest Displeasure.

G. R.

Coll Beekman Reported from the Committee to whom was Committed the Bill Intituled, An Act for Reviving and continuing An Act of Generall Assembly Entituled, An Act for Lyeensing Hawkers and pedlers within this province, That they have gone Through the said Bill without any Amendment

Then the said Bill was read the Third time and passed without any Amendment.

Ordered, that Coll Beekman do acquaint the Assembly that this Board do agree to the said Bill without any Amendment.

George Clarke Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act to prevent the Stealing and fraudulent marking and taking up and Selling of Horses within this Colony That they have Gone through the said Bill and have made severall Amendments thereto which he Read in his place and afterwards Delivered the same into the Board.

Ordered, the said Bill with the Amendments be Read the Third time

Then the said Bill with the Amendments was Read the Third time

Then the Question being put

Whether the said Bill doe pass with the Amendments?

It passed in the negative

Ordered, the said Bill be Rejected.

Coll Beekman Reported from the Committee to whom was Committed the Bill Intituled, An Act for Encourageing the Returning Nett Cattle and Sheep to their Owners, that they have Gone Through the said Bill and have made some Amendments thereto which he Read in his place and afterwards Delivered the same in at the Table

Ordered, the said Bill with the Amendments be Read the Third time

Then the said Bill with the Amendments was Read the Third time and passed with the said Amendments

Ordered, that Coll Beekman doe carry the said Bill with the Amendments to the Assembly and acquaint them that this Board do agree to the said Bill with some Amendments To which they Desire the Concurrence of that House

Att a Council held at ffort George in New York, ye 2^d Day of July, 1718.

PRESENT —

His Excell^{ty} ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r BYERLEY,
M^r CLARKE.
Doctor JOHNSTON.

A Message from the Assembly by Cap^t Van Horne Returning the Bill Entituled, An Act for Encourageing the Returning Nett Cattle and Sheep to their owners, with the Amendments made thereto by this Board and acquainting this Board that that House have agreed to the Amendments made by this Board to said Bill

Cap^t Walter for Abraham De peyster Esq^r Reported from the Committee to whom was Committed the Bill Intituled, An Act for an Allowance to the Representative of the Township of Schenectady in the County of Albany, that they have gone through the said Bill without any Amendment

Ordered, the said Bill be Read the Third time

Then the said Bill was Read the Third time and past without Amendment

Ordered, that Cap^t Walter do Acquaint the Assembly that this Board do agree to the said Bill without any Amendment.

Cap^t Walter Reported from the Committee to whom was Committed the Bill Intituled, An Act for Granting to the ffrecholders and Inhabitants of Coxhackey in the County of Albany the privilege of choosing yearly a Supervisor That they have gone through the said Bill without any Amendment

Ordered, the said Bill be Read the Third time

Then the said Bill was Read the Third time and passed without any Amendm^t

Ordered, that Cap^t Walter do acquaint the Assembly that this Board do Agree to the said Bill without any Amendment

Cap^t Walter Reported from the Committee to whom was committed the Bill Intituled, An Act Repealing that part of An Act Entituled, An Act for Restraining the taking of Extravagant and Excessive Usury whereby Interest was Reduced to Six p^{c} cent per annum, That they have gone through the said Bill without any Amendment.

Ordered, the said Bill be Recommitted.

A Message from the Assembly by M^r Seabring, That the Assembly have Agreed to the Representation Drawn by the Committee of both Houses with Relation to M^r Samuel Mulford To be made to the Right Hon^{ble} the Lords Commissioners for hearing Appeals.

Which Representation being Ingrossed, It is

Ordered, that the Clerk of the Council sign the same by order and behalf of the Council

Which Representation being so signed, It is

Ordered, that the Clerk of the Council doe carry the same to the Assembly

The Bill Entituled, An Act for paying the Quantity of fifty Three Ounces and One Half of plate unto Johannes Vanzant and the Quantity of Twelve Ounces and One Half unto Willempie Vytiden Bogard Widdow, was Read a Second time and committed to the Gentlemen of this Board or any five of them

Att a Council held at ffort George in New York, the 3^d Day of July, 1718.

PRESENT —

His Excell^{ty} ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r PHILLIPSE,

M^r BYERLEY,
Doctor JOHNSTON.

Doctor Johnston for M^r Clarke Reported from the Committee to whom was Committed the Bill Intituled, An Act for Repealeing that part of An Act Entituled, An Act for Restraining the taking of Extravagant and Excessive Usury whereby Interest was Reduced to Six p^{c} Cent p^{a} Annum, That they have gone through the said Bill and have made several Amendments thereto which he Read in his place and afterwards Delivered the same in at the Board

Ordered, the said Bill with the amendments be Read the Third time

Then the said Bill with the Amendments was Read the Third Time and passed with the said Amendments

Ordered, that Doctor Johnston doe carry the said Bill with the Amendments to the Assembly and Acquaint them that this Board do agree to the said Bill with some Amendments To which they Desire the Concurrence of that House

Coll D'peyster and M^r Van Dam took their places at the Board

A Message from the Assembly by Alderman Jansen that that House do Agree to the Amendments made by this Board to the Bill Intituled, An Act Repealing An Act Entituled, An Act for Restraining the taking of Extravagant and Excessive Usury whereby Interest was Reduced to Six p^{c} cent p^{a} Annum

His Excellency having sent the Deputy Secretary to Require the Attendance of the Assembly and they being come his Excellency gave his Assent to the following Bills Enacting the same and ordered them to be Enrolled viz^t

An Act to prevent Small Stallions Running at Large and to Geld all Horses under the size therein mentioned

An Act for an Allowance to the Representative of the Township of Schenectady in the County of Albany

An Act for Granting to the freeholders and Inhabitants of the precincts of Catskill and Coxhackey in the County of Albany the priviledge of choosing yearly a Supervisor.

An Act for Reviving and continuing An Act of Generall Assembly Entituled, An Act for Lycensing Hawkers and pedlars within this province

An Act for Naturalizing Nicholas Caron, Abraham De Caperez, Tobias Boel, Henricus Boel Jacob Pitt, Jan Pitt and Samuel Richards

An Act for Reviving An Act of Generall Assembly Entituled, An Act for the better Settling the Militia of this province and making it more usefull for the security and Defence thereof

An Act for Establishing pilotage.

An Act for Encouraging the Returning Nett Cattle and Sheep to their owners

An Act Repealing that part of An Act enttuled An Act for Restraining the taking of Extravagant and Excessive Usury whereby Interest was Reduced to Six p^{c} cent p^{a} Annum

[N. Y. Col. MSS., LXI., 59.]

BY HIS EXCELLENCY

ROBERT HUNTER Esq^r Cap^t Generall and Governour in Cheife of the Provinces of New York, New Jersey and Territories thereon Depending in America and Vice Admirall of the same &c

A PROCLAMATION

WHEREAS the Generall Assembly of the said Province of New York stands adjourned to this day and there not being a sufficient number of the Members in Town I have therefore for his Majesties service thought fitt further to adjourne the said Generall Assembly, and I doe by vertue of the Power and Authority unto me Granted by his Majesty under the Broad Seal of Great Britain further adjourne the said Generall Assembly of the said Province of New York unto the two & twentyeth day of this Instant September Whereof all his Majestys Subjects in the said Province are to take Notice and Govern themselves accordingly

Given under my hand and seal at Fort George in *New York* the Eighteenth day of September in the fifth year of the Reign of our Sovereign Lord George by the Grace of God, of Great Britain France and Ireland King Defender of the Faith &c Anno D^{omi}n 1718

Ro: HUNTER

By his Excellency's Command

SEVENTEENTH ASSEMBLY SIXTH SESSIONS.

At a Councill held at ffort George in New York, y^e 24th Day of September, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll D'PEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLEY,
Doctor JOHNSTON.

The Assembly being met according to the Last Adjournement, sent their Clerke to Acquaint his Excellency therewith, and to know his Excellences Commanded (*sic*) Where upon his Excellency Directed their Clerk to Acquaint them that his Excellency Requires the Attendance at the Councill Chamber Immediately

And the Assembly being come his Excellency made the foll: Speetch to them, viz^t

Gentlemen,

Having Received from the Lords Commissioners for Trade some objections against the Acts for Setling a Revenue for Support of Government, I Judg'd it also lately necessary that you should meet as soon as possible In order to provide proper remedys for Such Matters contained in those Acts as [have] in the mean time obstructed their Ld^{ships} recommendation of them to His M^{ty} for his approbation and may, if not remedy'd Lay them Under the necessity of Laying them before him for his Disallowance which, as it would be of Dangerous Consequence to the Credit and Intrest of this Colony, So I am perswaded it would be no very agreeable task to their Ld^{ships} who have its Intrests and prosperity So much at Heart as it will appear from their own words which are these—

“We have Consider'd the Revenue Act and have Some objections to it, particularly it affects the Shipping and Navigation of this Kingdom as you will see by the Inclosed Paper of objections; however we would not Lay it before His Majesty to be repeal'd, because you Say the Repealing it would ruine the Trade of the Province. You must therefore move the Assembly to passe a new Act not Lyable to the Said objections otherwise we shall be oblig'd, to Lay this Act before His M^{ty} for his Dissallowance, For no acts are to be pass'd In the Plantations whereby the Shipping and navigation of this Kingdom are affected as you will see more particularly by his M^{ty}s additional Instruction to you of y^e 27th of Sep^r Last We

"have the Like Objections which are also here Inclosed to the Act to oblige all Vessels Trading to this Colony (Except Such as are therein Excepted) to pay a Certain Duty Etc, passed in Sep^r 1716 and for the Same reasons we must Desire you to gett a new Act pass'd not Lyable to these objections"

The Paper Containeing these objections, I shall lay before you and Earnestly Intreat your Immediate attention to the application, al-o proper remedys; at the same time I must put you in mind that in the next year which is the Last of your Revenue Act, it will prove very Deficient as was observ'd at the time it passed, So that this may be a very proper Juncture by a new Act for that Purpose to Remove all Just objections guard against that Deficiency, and to make further provision for the Support of His Matys Government here

The Season of the Year calls for Dispatch and the case can not admitt of Delay and I cannot easily perswade my self that an Assembly which has all along had and has given Conspicuous marks of a hearty Zeal for his M^{ty} and Sincere regard to His Service and has given Such kind repeated proofs of their Intire Satisfaction with my administration, will hesitate in what is now recommended to them which so nearly concerns the Intrest of those whom you Represent as well as that of the Government

RO: HUNTER.

Att a Council held at Fort George in New York, the Seventh day of October, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DE PEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VANDAM,

M^r BARBARIE,
M^r CLARKE,
Doctor JOHNSON.

A Message from the Assembly that they had passt a Bill Intitled, And An Act for Reviveing An Act of Generall Assembly Intitled, An Act for the Easier partition of Lands In Jointtenancy or in Common & makeing the Same more usefull & Effectual for the purpose therein mentioned to which they desired the concurrence of this Board.

Then the Said Bill was read the first time

Ordered, a Second Reading

Att a Council held at Fort George in New York, the 8th day of October, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Cap^t WALTER,
M^r VANDAM,
Coll HEATHCOTT,

M^r PHILIPSE,
GEO CLARKE.

The Bill Intitled, An Act for reviveing An Act of General Assembly Intitled, An Act for the Easier partition of Lands in Jointtenning (*sic*) or in common & making the Same more Usefull and Effectuall for the purposes therein mentioned was read a Second time and committed to the Gentlemen of the Council or any five of them

Att a Council held at Fort George in New York, the 9th Day of October, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERY,

M^r BYERLY,
M^r CLARKE,
Doctor JOHNSON.

Coll Beekman Reported from the Committee to whom was Committed the Bill Intitled, An Act for Reviveing An Act of Generall Assembly Intitled, An Act for the Easier Partition of Land in Jointtenancy or in Common & making the same more usefull and effectual for the purpose there in mentioned that They have gone thro the Said Bill without any amendment.

Ordered, that Said Bill be read the third time

Then the Said Bill was Read the third time and passt without Amendment

Ordered, that Coll Beekman do acquaint The Assembly that this Board doe Agree to the Said Bill without any Amendment

Att a Council held at fort George in Newyork, the 9th day of October, 1718, P. M.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERIE,

Coll HEATHCOTT,
GEO. CLARKE,
Doctor JOHNSON.

The Speaker of the Assembly attended by the whole house acquainted this board that they had pass'd a Bill Intitled, An Act for the Explaining of Certain Clauses in one act of the General Assembly of this Colony intituled, An Act for a Supply to be granted to his Majesty for the Supporting his Government in the province of New York and for Strickeing Bills of Credit for that purpose pass'd in the year 1715 and for the Explanation of Certain Clauses in An Act of General Assembly of this Colony made in the year 1716 intituled, An Act to Oblidge all Vesels Trading into this Colony (Except Such as are therein Excepted) to pay a Certain Duty and for the further Explanation and makeing more Effectual Certain Clauses in an Act by which a Duty his laid on all Negroes and other Slaves Imported into this Colony, to which they desired the concurrence of this Board and at the Same time delivered an Adress to his Excellency in these words:

To His Excellency ROBERT HUNTER, Esq: Captain General and Governor in Chiefe of the Province of New York and New Jersey, the Territories thereon depending in America, and Vice Admiral of the same &c.

The humble REPRESENTATION of the General Assembly of his Majesty's Colony of New York.

May it please your Excellency,

As the Observes you made to the Right Honourable the Lords Commissioners for Trade and Plantations, on the Consequences that would attend the Repeal of the Act, *for a Supply to be granted to his Majesty, for the Support of Government here*, were very just; so we pray, that you would return that Board, the Thanks of this House, for the Regard they were pleased to pay to your Sentiments, and to assure them, that though possibly we may make Acts here, liable to their Censure; yet they are not made so, with any ill Design of hurting the Trade and Navigation of *Great Britain*; and that in particular, the two Acts, to which their Lordships have been pleased to make Objections, were by us intended for the ample Support of his Majesty's Government here, and contrived (as we then thought) in such a Manner, as would be most effectual for that purpose, with most Ease to his Majesty's Subjects, and to make those of them who received an Advantage by our Trade, contribute their Mite to the Support of that Government, which protected them and us in it. As all the Payments made for the Tonnage of *British Vessels*, has amounted to but little above *Two Hundred Pounds* this Money, since the Act laying that Duty was passed, which is now above two Years; so the ill Effects of so small a Sum, will not, we presume, be considered with Respect to the *British Trade*, and we humbly hope, that when their Lordships are informed, that *British Vessels*, as well as others, paid a Duty of Tonnage, by Virtue of an Act of General Assembly of this Province, made in the Year 1709, which continued to be paid without any Objection or Observe made on that Act, by the then Board of Trade: That the Instruction their Lordships mention, was not communicated till long after the Act they object against, was passed; That in *Virginia*, they pay such a Duty, and that *British shipping* in most of the Plantations, are no more than others exempted, from paying a Duty according to their Tonnage for Powder Money; they will think favourably of us, for subjecting them to the same Duty, as their Fellow Subjects paid for the Support of his Majesty's Government, which we were humbly of Opinion, would as well justify such an Imposition, as the Support of his Majesty's Garrisons and Fortifications. We were not without Views of encouraging the Building of Shipping in this Colony, by Exempting the Vessels built here from that Duty and his Majesty's Subjects in this Colony, trading in Ships built any where else, were as liable to that Duty as others, and as they have freed themselves from it, by complying with the Intention of that Act, so if we are rightly informed, the truest and most advantageous Way for the Subjects of *Britain*, who are inclined to be concerned in our Trade, to obviate that Part of their Lordships Objections against the Act, is to answer the Ends of it. But this Hint, we submit to be improved by Men of their Lordships great Wisdom and Penetration. And in the mean Time have passed an Act, not liable to that Objection, nor to that of *Negroes* imported directly from *Africa* in Vessels owned by Inhabitants of *Britain*, but we humbly hope their Lordships will not think it inconsistent with the Interest of *Britain*, to indulge us in continuing a difference of the Duty between Vessels built in this Colony, and those owned by Inhabitants of the neighboring Plantations, and built elsewhere; and also a Difference

betwixt the Duty of *Negroes*, brought directly from *Africa*, and those brought from the Plantations; because it will encourage a direct Importation from *Africa*, and discourage an Importation from the Plantations, by whom we are supplied with the Refuse of their *Negroes* and such Malefactors, as would have suffered Death in the Places from whence they came, had not the Avarice of their Owners, saved them from the publick justice by an early Transportation into these Parts, where they not often fail of repeating their Crimes. We shall not enlarge on this Head, conceiving these and many more Reasons will be obvious to their Lordships, and forceable enough to induce them to comply with our Desire; and we become humble Supplicants to your Excellency, that while we have the Honour and Advantage of your Continuance in the Station you are at present in, that you will use your Endeavour to dispose that Right Honourable Board, to continue so far their Favours, to a Province not inconsiderable in the Plantations, nor disaffected to the present Government, as to lay no Acts made here, before his Majesty for his Disallowance, till they have signified their objections to your Excellency, as they now have done, that we may model them according to their Lordships Desire, or give such Reasons as they shall think sufficient for his Majesty's Approbation of them. And we persnade ourselves your Excellency can set the Reasonableness of this Desire, in so clear a Light to their Lordships, that they will be induced to think it will be no Diservice to his Majesty, nor inconsistent with the Interest of *Britain* to grant.

Before we enter into any Remarks on their Lordships Objections or rather Observations, on the Act, for Support of his Majesty's Government here, we beg your Excellency to call to Mind, the Circumstances of this Colony at the Time of passing this Act, both with Respect to the Inhabitants themselves and to the Government of it, which we presume, if set in its natural Light before their Lordships, and duly considered, they will be of Opinion, that the raising so ample a Support for his Majesty's Government here, and in the Manner it was then done, was not only a Compliance with our Duty, but a more than common Instance of our Affection to it, and the Person by his Majesty placed over it, to whose good Address and Management, it was not a little owing.

The Province laid then under the Burden of a Land Tax, for two fruitless (if not whimsical) Expeditions to *Canada*; and what Support the Government then had, was raised that Way, which though very far short of what your Excellency deemed necessary, yet was an Addition to that Burden, and made the raising of it difficult, occasioned by the Poverty of the People. What was called a Revenue, viz. A Tax on Trade, for the Support of the Government was expired; the imprudent Management, and the extravagant Misapplication of that Revenue by former Governors, had created a Debt of about *Forty Thousand Pounds*, which with the Arts used by many, who tho't it their Interest to defeat any Act, that should lay any Tax on Trade, had created such an Aversion in the People, either to the paying of those Debts, or to the raising any Support for the Government that way, which indeed was the only Way that it could be done to any tolerable Effect, that both the one and the other was almost despaired of. As for the payment of the publick Debts, though often recommended by the Earl of *Clarendon* and your Excellency, and at last happily effected; yet the Bulk of them was known to be occasioned, by the Misapplication of the publick Money and the Sense of the Colony, was fully expressed to my Lord *Cornbury*, by the Assembly of that Time, in these Words:—"Since the Peace, this Colony has raised above *Twenty Two Thousand Pounds*, in Publick Money, a great Part of which has been lavished so profusely, and applied contrary to the Ends for which it was given, and against the express Letter, of both the Letters Patents and Instructions to the late Governor, that it must be no Wonder if the People (Were they able) should be averse to giving, having fresh before their Eyes, such apparent Examples of the unjust and unaccountable Disposition of their Money."

His Lordship's Conduct during his Administration, gave but too much Reason for the Reflection; and by the like Methods added to those Debts; by those Means, the public Credit was brought to the lowest Ebb; Numbers of People was complaining with Warrants on the Government in their Hands, which could not be paid, and Persons of all Ranks were Sufferers for want of that Money which the Assemblies of this Colony had provided, and would have sufficiently prevented most of those Demands, were it not for the gross Misapplication of it; this the Assembly were not insensible of at the Time of paying those Debts, as may appear by the Preamble of the Bill that paid Part of them: However, to restore the public Credit, and add new Vigour to a then languishing Trade, we paid part of those Debts, and struck Bills of Credit to the Value of *Twenty Seven Thousand Six Hundred and Eighty Pounds*, for that Purpose, and have since paid the Remainder, amounting to about *Sixteen Thousand Pounds* more, for which Bills of Credit are also struck.

The great Increase of the Trade and Oppulency of this Province, has been an Effect so visible of this Proceeding, that we are sure your Excellency has not failed of observing it.

The great Aversion of the People in general to lay a Tax upon Trade for the Support of the Government, (though now for the most Part remov'd) you cannot be a Stranger to, nor with the Difficulties that were overcome to obtain the present Settlement; the last of which we recommend to your Excellency to represent to their Lordships, in such Manner as you think will most conduce to the Benefit of this Province; and the first we think cannot be set in a clearer Light, than by a Resolve of the General Assembly of this Colony, made in the Time of

the Right Hon. the Earl of *Clarendon*, then Lord *Cornbury*, before the Revenue expired, in these Words: “*Die Sabati, September 11, 1708. Resolved, That the raising of Money for a Support of the Government, or other necessary Charge, by any Tax, impost or Burden on Goods imported or exported, or any Clog or Hindrance on Traffic or Commerce, is found by Experience to be the Expulsion of many, and the impoverishing of the Rest of the Planters, Freeholders and Inhabitants of this Colony, and of most pernicious Consequence, which if continued, will unavoidably prove the Ruin of the Colony.*”

Though we believe, as our Conduct has shewn, and Experience proves, that the Gentlemen were mistaken in their Sentiments on this Head, yet they spoke the Sense of the Colony they at that time Represented, and which continued to be the Opinion of no small Part of it at the time this Act was passed; so that it was very far from an easy Task to prevail on a People, upon whose Minds the Malversations of a late Administration had made so deep an Impression, to enter into those Measures that they believed the Source of them; and once more to put it into the Power of a Governor to add to the Mischiefs his Predecessor had done. However, the Experience they had of your Prudence and Justice, made them venture, and the Government wanting a Support, Affection, and a Sense of Duty, prevailed, which gave rise to the Act now objected against by their Lordships. And because (as the Act says) the *Indian Nations* were very much wavering in their Faith and Allegiance to the Crown, his Majesty's Forts and Fortifications in this Province very much gone to decay, and the Necessities of the Government in many Cases such, as did demand a more speedy Supply than could from Time to Time come in by the Duties given by this Act; therefore Bills of Credit was struck to answer these then present and pressing Necessities, to the Value of *Six Thousand Pounds*.

Now, we humbly represent to your Excellency (and which we hope will have it's proper Regard at their Lordships Board) that these Expeditions were entered into, these Debts paid, this Government supported by us at the pressing Instances of our Superiors; that it was the King's Governors, in their publick Capacity, that contracted these Debts; that it is the King's Government we support; that upon the Bills of Credit struck to answer these Ends, the Trade, the Well-being and Credit of this Province now depends; that if any Act be repealed, which will affect these Bills (as the Repeal of this will) the Credit of the Whole will sink, and the Trade immediately stagnate, which will prove of much more dangerous Consequence to the Trade and Interest of *Britain*, than a trivial and Inconsiderable Duty of Tonnage, paid by but a few Vessels, can affect their Navigation; and which, by the Way, is avoided in this Act as it now stands; that the Debts will return, and the Number of Sufferers be greater, and what is worse, remediless; and lastly, as the Expeditions, and all abovementioned have been Instances, that there may be sometimes a Necessity to engage the Credit of this Colony, it will render every Thing of that Kind impracticable for the future; which is a Consequence so fatal to his Majesty's Service, that we are sure their Lordships will, if possible, avoid.

As to the Observations their Lordships have made on this Act, we shall now speak to them, and we hope to your Excellency's and their Lordships Satisfaction.

An Act for a Supply to be granted to his Majesty, for the supporting his Government in the Province of New York, and for striking Bills of Credit for that Purpose; passed in July, 1715, will expire in July, 1720;

Lays Duties,

For every Pipe of Wine imported directly from the Place of it's Growth, Seven Ounces and an Half of Plate; from any other Place than that of it's Growth, Fifteen Ounces.

There are no Wines Imported from *Great-Britain*, that we know of, and will join with their Lordships in Opinion, that there ought not to be a greater Duty on Wines so imported, than on those imported from the Place of its Growth; it was purely an Omission, and Done without Design.

Query? If any Wines are imported from *Great-Britain*, and if they are liable to the Duty of 15 Ounces, which ought not to be?

Such Importation not having been, but because 'tis possible it may be, we have rectified that Mistake, and put them on the same Foot with Wines directly imported.

For all *European* Goods imported from *Boston*, for every £.100 Value prime Cost, 12 Ounces.

Ditto, imported from any other of his Majesty's Plantations, 18 Ounces and three Quarters of Plate.

The laying a different Duty on *European* Goods imported from the Plantations, from what was paid for Goods Directly imported from *Britain*, was first recommended to the General Assembly of this Colony, in a Speech made to them the 14th of *June*, 1705, by his then Excellency the Lord *Cornbury*; and the thing in itself we take to be reasonable, because it encourages a direct Importation from *Britain*, by which we are supplied with good Commodities, instead of bad, from the Plantations; and are humbly of Opinion, it is of Advantage to the *British* Exportation, and a small Means of encreasing their Navigation, as well as a Benefit to ourselves, we being usually supplied from the Plantations, especially the *West-India* Islands, with the Refuse of their Shops and Ware-Houses, and such, as for the most Part, were rotten or dammed with long lying.

N. B. As no Mention is made of any Duty on *European* Goods imported directly from *Great-Britain*: Query, What Duty do they pay?

N. B. Because no Mention is made of any Duty on *European* Goods directly imported; therefore answer, They pay none. But perhaps their Lordships might suppose they paid a Duty by Virtue of some other Act, and desired to know; your Excellency can easily inform them, there is no Duty laid on them by any Act now in Force, or that has been in Force since the Revenue expired.

But we beg Leave to inform your Excellency, that they formerly paid a Duty of Two and an Half *per Cent.* towards the Support of the Government, which continued a long Time; and since there will be a Deficiency in the last Year of this Act, and their Lordships Objections against the Tonnage of *British* Vessels, will make a further Deficiency, we presume their Lordships cannot be displeased if we revive that Duty to make up that Defect, the Trade of this Province being mostly carried on at the Risque of the Inhabitants of it. Such a Duty will be a Tax only on ourselves; and if any *British* Merchants think it worth their while to adventure any Part of their Stocks in this Trade, it is, as we humbly conceive, not unreasonable they be subjected to the same Duty the Inhabitants are under, in the Case of *European* Goods as well as Wine, imported by them, which their Lordships does not seem to disapprove of, and is paid by the Purchasers or those Commodities, which are the Inhabitants of this Colony.

What relates to the Importation of *Negroes*, is already spoke to; and upon the Whole, we beg your Excellency would assure their Lordships, that as we always have, so we shall be very willing to give a Support for his Majesty's Government here, and, if we can, in such a Manner as will be most agreeable to his Majesty, and most for the Ease of his Subjects; and that at this Time it cannot be effectually done, without an Impost on the Importations or Exportations of this Province.

We are his Majesty's loyall Subjects, and your Excellency's humble Servants.

And

Your Excellency's most obedients Seruants

Leonard Lewis
Jacobus Kip
A Gaasbeck Chambers
John Stillwell
William Willett
Johannes ferbos
Garritt Vanhorne
Carrill hansen
Abraham Lakerman
S. Gerritsen
Isaack Hick

R^t LIVINGSTON Speaker
Lewis Morris
Cornelis Sebering
Jacob Ruston
D. Provoost
Joh^s Cuyler
Hend^r Hansen
Andries Coeyemans
Peter Harring
Cornelius Cupper
Tno Willett
John Jansen

Then the Bill Intituled, An Act for the Explaining of Certain Clauses in one Act of the Generall Assembly of this Colony intituled, An Act for a Supply to be Granted to his Majesty for the supporting his Government in the Province of New York and for striking bill of credit for that purpose pass'd in the year 1715 and for the Explanation of Certain Clauses in an Act of General Assembly of this Colony made in the year 1716 intituled, An Act to oblige all vessells Trading into this Colony (except such as are therein excepted) to pay a certain Duty and for the further Explanation and making more Effectual Certain Clauses in an Act by which a Duty is laid on all *Negroes* and other Slaves Imported into this Colony, was read the first time

Ordered a Second Reading

The said Bill was read a Second time & Committed to the Gentlemen of this Board or any five of them

Att a Councill held at fort George in New York, the tenth Day of October, 1718.

PRESENT—

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VANDAM,

M^r PHILLIPS,
Tho BYERLY,
GEO CLARKE,
Doctor JOHNSON.

Geo Clarke Reported from the Committee to whom was Committed the Bill Intituled, An Act for the Explaining of certain clauses in one Act of the General Assembly of this Colony Intituled, An Act for a Supply to be granted to his Maj^{ty} for the Supporting his Government in

the Province of Newyork and for strickeing bills of Credit for that purpose passed in the year 1715 and for the Explanation of certain clauses in an Act of General Assembly of this Colony made in the year 1716 Intitled, on An Act to oblige all vessels Trading into this Colony (except such as are therein Excepted) to pay a certain Duty and for the further Explanacon and making more Effectual certain clauses in an Act by which a Duty is laid on all Negroes and other Slaves imported into this Colony, that they have gone through the said Bill without any Amendment

Ordered, that the said Bill be read the third time

Then the said Bill was read the Third time and passt without Amendment

Ordered, that Geo Clarke Esq^r do acquaint the Assembly that this Board doe agree to the said Bill without any Amendment

Att a Council held at fort George in New York, the fourteenth Day of October, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,

Coll BEEKMAN,

M^r VANDAM,

M^r BARBERY,

M^r BYERLY,

Doctor JOHNSON.

A Message from the Assembly by Coll Rutson that they had passt a bill Intitled, An Act to Enable the Treasurer of this Colony to Remitt to Ambrose Philips Esq^r the sum of one hundred eighty seven ounces and one half of plate for the service of this Colony and desired the concurrence of this Board thereto ; then the same was read the first time

Ordered, a Second Reading

The Speaker of the Assembly attended by the whole house addressed his Excellency concerning the Evil Treatment the Ships of this place have mett with from the Subjects of the King of Spain.

The Bill Intitled, An Act to Enable the Treasurer of this Colony to Remitt to Ambrose Philips Esq^r the Sum of one hundred Eighty Seven Ounces and one half of Plate for the Service of this Colony, was read the Second time & Committed to the Gentlemen of this Board or any five of them

Att a Council held at fort George in Newyork, the 15th day of October, 1718.

PRESENT —

His Excellency ROBERT HUNTER, Esq^r,

Coll DE PEYSTER,

Cap^t WALTER,

Coll BEEKMAN,

M^r VANDAM,

M^r BARBERIE,

M^r BYERLY,

Doctor JOHNSON.

Coll Depeyster Chairman of the Committee to whom was referred the Bill Intitled, An Act to Enable the Treasurer of this Colony to remitt to Ambrose Philipse Esq^r the Sum of one hundred Eighty Seven Ounces and one half of Plate for the Service of this Collony Reported that they had gone thro the Said Bill without Any Amendment

Ordered, That the Said Bill be rend the third time

Then the Said Bill was Read y^e third time and past

Ordered, that Coll Depeyster do Acquaint the Assembly that this Board has passt the Said Bill without Amendment

Doctor Johnson Chairman of the Committee to whom was Referred the Bill Intitled, An Act for paying the Quantity of fifty three ounces and one half of plate unto Johannes Vanzant and the Quantity of twelve ounces and one half of Plate unto Willimpie Uytden Bogart Widow Reports that they have gone thro' the Said bill without any Amendment

Ordered, that the Said Bill be read the third time

Then the Said Bill was read the third time and past

Ordered, that Doctor Johnson do Acquaint the Assembly that this Board has passt said Bill without amendment

Att a Council held at fort george in Newyork, y^e 16th day of October, 1718.

PRESENT—

His Excellency ROBERT HUNTER, Esq^r,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VANDAM,

M^r PHILLIPS,
M^r BYERLY,
Doctor JOHNSON.

M^r Philips Reported from the Committee to whom was Referred the Bill Intitled, An Act for Settling the Boundaries between y^e Lands Granted by patents unto Cornelius Coel, Adrian Gerritse, Mathias Ten Eyck, Jacobus Dubois, Johannes Schepmoes, Roelof Swartwont, Cornelius Lammerse, Peter Peterse, Lawrence Osterhout, and Jannetie Newkerk Situate lying and being in the county of Ulster commonly called the Town of Hurley and the Land Granted by Patent unto Coll Henry Beekman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for & on the behalf of the Inhabitants of the town of Marbletown in the County of Ulster aforesaid that they had gone thro' the Said bill & made thereto the following amendments, to witt,

folio 2^d Line 5th After (the) and before the word (most) Insert these words (bounds of the new Palis and So along the Said bound untill it meets with the)

folio 2^d Line 5th After the word (northmost) and before the word (of) Insert the word (bounds)

folio 2^d Line Penult from the word (notwithstanding) Leave out all to the Ends of the Bill Which Amendments being read were agreed to by this Board

Ordered, that y^e Said Bill be read a third time with the Amendments

Then the Said Bill was read a third time with the amendments

Ordered, that the Said Bill do pass with the Amendments

Ordered, That M^r Philipse do Carry Said Bill with the amendments to the Assembly and desire their Concurrence thereto

M^r Philips desired his Dissent might be Entered to the Said Bill which was accordingly

Ordered to be intered by this Board

Att a Council held at fort George in Newyork, the 16th day of October, 1718, P. M.

PRESENT—

His Excellency ROBERT HUNTER, Esq^r,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r CLARKE,
Doctor JOHNSON.

A Message from the Assembly by Coll Rutsen that they had agreed to the Amendments made by This board to the Bill Intitled, An Act for Settling the Boundaries between the Lands Granted by Patents unto Cornelius Coel, Adrian Gerritse, Mathias Ten Eyck, Jacobus Dubois, Johannes Schepmoes, Roelof Swartwont, Cornelius Lammerse & Situate Lying and being in the County of Ulster commonly called the Town of Hurley and the Lands Granted by Patent unto Coll Henry Beekman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for & on the behalf of the Inhabitants of the town of Marbletown in the County of Ulster.

His Excellency haveing Sent the Clerk of the Council to require the attendance of the Assembly and they attending accordingly his Excellency Gave his Assent to the following Bills to witt,

An Act for Reviveing An Act of General Assembly Entitled, An Act for the Easier partition of Lands in Jointtenancy or in common and makeing the Same more usefull and Effectual for the purposes therein mentioned Also

An Act for the Explaining of certain Clauses in An Act of the Generall Assembly of this Colony Intitled, An Act for a Supply to be Granted to his Majesty for the supporting his Government in the Province of Newyork and for Strickeing Bills of Credit for that purpose pass'd in the year 1715 and for the Explanation of Certain Clauses in An Act of General Assembly of this Colony made in the year 1716 Entitled, An Act to Oblidge all Vessells trading into this Colony (Except Such as are therein Excepted) to pay a Certain Duty and for the further Explanation and makeing more Effectual Certain Clauses in An Act by which a Duty is laid on all Negroes & other Slaves Imported unto this Colony Also

An Act to Enable the Treasurer of this Colony to Remitt to Ambrose Philips Esq^r the Sum of one hundred eighty Seven ounces & one half of Plate for the Service of this Colony Also

An Act for paying the Quantity of fifty three ounces & one half of plate unto Johannes Vanzant and the quantity of twelve ounces and one half of plate unto Willimpie Uyden Bogart Widow. Also

An Act for Settleing the Boundaries between the Lands Granted by patent unto Cornelius Coel, Adrian Gerritse, Mathias Ten Eyck, Jacobus Du Bois, Johannis Schipmooes, Roelof Swartwout, Cornelius Lammerse, Peter Peterse, Lawrence Oosterhout and Jannetie Newkirk Situate Lying and being in the County of Ulster Commonly called the town of Hurly and the Lands Granted by Patents unto Coll Henry Beekman Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalf of the Inhabitants of the town of Marbletown in the County of Ulster Aforesaid

[N. Y. COL. MSS., LXL, 70.]

By his EXCELLENCY

ROBERT HUNTER Esq^r Cap^t Gen^l & Governour in Chief of the Provinces of New York and New Jersey and Territories thereon Depending in America & Vice Admiral of the Same &c

A PROCLAMATION

WHEREAS the General Assembly of the province of New York stands adjourned to this day But there not being a Sufficient number of the members come to proceed upon business I have therefore for his Majestys service thought fitt to adjourn the Said General Assembly and I doe by vertue of the power and authority unto me granted by his Majesty under the Broad Seal of Great Brittain hereby further adjourn the Said General Assembly of the Said province untill Tuesday the fourteenth Instant then to meet at the City of Newyork Whereof all his Majestys Subjects in the Said province are to take Notice and Govern themselves accordingly

Given under my hand and Seal at Fort George in *Newyork* the Seventh day of Aprile in the fifth year of his Majestys Reign Annoq Domin 1719:

Ro: HUNTER.

By his Excellencys Command

JA: ALEXANDER Depty Secry

God save the KING

SEVENTEENTH ASSEMBLY SEVENTH SESSIONS

Att a Councill held at fort George in Newyork, the 28th day of Aprile, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll BEEKMAN,
M^r BARBERIE,
M^r VANDAM,

M^r PHILLIPS,
Coll BYERLEY,
Doctor JOHNSTON.

His Excellency acquainted this board that by Reason of the bad state of health he was in, he had Resolved to send by way of Message to the house of Representatives what he had designed to Recommend to them in a Speech now at the opening of this Session of Assembly.

Then his Excellency communicated the said Message to this Board which is in the words following:

Gentlemen,

My present state of Health obliges me to send in writing what I had to ReCōmend to you at the opening of the Session to day. I was solicitous that you should meet at this time, that we might be in a Readiness to put in Execution such orders as his Majesty might think necessary to send us, in relation to the Just and necessary war he has declared against Spain. The ship which,

probably, brings these orders is not yet arrived but harly Excepted,* the news you have had of that Enemy's design'd attempt upon the Kingdom of Ireland, will easily persuade you, that how Improbable so ever, an Enterprize of the Lake nature upon these parts, may appear to be it is not Impossible especially considering the daily Reports of their Equipping of Ships of war in their American ports. fury and Resentment may Carry them thither where they think they may do the greatest and cheapest Damage.

I look upon the Militia, with the Regular force we have to be a sufficient guard to the Province. But I think, that for the better Defence of this city, there is a necessity of Renewing and Repairing the two Low Batteries at the Entrance of this Haven which are entirely Ruined by the Injuries of time and Tempests for that purpose I desire you would prepare a Bill for the Delraying that Expence, and if you think fit in the meantime, to passe a vote of Credit for that use, I shall set to work immediately that no time may be Lost.

In the next place, it will be necessary that you inform your selves from your Treasurer, and the officers, of the present state of the Revenue that you may in time provide for the Deficiency in these funds in this insueing last year of their Date which was foreseen, and I doubt you will find it to be considerable, as well as the ways and means for the future support of his Majestys Government here, toward which you have ever shown the warmest zeal and affection

The Late attempt of some wicked men to conterfeit your Bills of Credit, I hope, is in a great measure Disappointed by the early Discovery, and the flight of the persons Guilty, in all appearance. for the finding out, and securing of whom, I have used all possible dilligence. I submit it to you, whether it may not be necessary to pass alaw forbidding the currency of all Bills above a certain value, which shall be pasted on the back side, after a certain time fixt, by which time the Treasurer may change true Bills, so pasted with others which he is to sink; for this counterfeit is concealed by the means of such pasting, as these false Bills will convince you.

You know that the time approaches when your country affairs will require your Recess, that will induce you to give all Due Dispatch to business before you. I shall acquaint you, from time to time, what occurrs to me which may be necessary for your consideration

RO: HUNTER

Ordered, that the Clerk of the Council do carry the same to the house of Representatives

Att a Council held at fort George in Newyork the 30th of Aprile, 1719.

PRESENT—

His Excellency ROB^t HUNTER, Esq^r, &c.,

Rob^t WALTER,
Coll BECKMAN,
M^r BARBERIE,
Coll HEATHCOT,

Coll BYERLY,
GEO CLARKE Esq^r
Doctor JOHNSTON.

A Message from the Gen^l Assembly by Coll Morris and Coll Provost acquainting his Excellency that the General Assembly had agreed upon an Adress to his Excellency and Desiring he would Let the house know when his Excellency would be pleased to admitt them to wait on him with it

His Excellency appointed them to attend him immediatly

The General Assembly attending, their Speaker presented to his Excellency an Adress in these words

To his Excellency ROB^t HUNTER Esq^r Captain Gen^l and Governour in Chief of the provinces of Newyork, Newjersey and Territories thereon Depending in America, and vice admirall of the same &c

The humble Address of the Gen^l Assembly of his Majestys Colony of Newyork.

S^r

We are truly sorrowfull, as wee beleive every good man under your Government is, for your Excellency's Indisposition but hope it will not be of any Long Duration or render you Incapable of continuing your good offices to the People of this province and care for the welfare of it.

The Endeavour you have us'd to apprehend The Persons Supposed Guilty of Counterfeiting The publick Bills of Credit we hope will at Least be attended with the Desired effect of bringing them to Publick Justice and in the meantime put a stop to the Currency of such Bills, wee will consider that, and all the other parts of your Excellency's Speech, and will Endeavour to do what will be most condneive to his Majesties service and the benefit of this province

* Sic. for, hourly expected.

Wee thank you for your kind Expressions to us and will make it our study always to Deserve your Esteem and his Majesties favourable opinion Notwithstanding the attempts wee are informed have been made by some Persons strangers to us and our affaires, to Give his Majestie and our Superiours Different sentiments of an Assembly who wee perswade our selves you Beleave have Given manifest Proovls of their Duty and affection

The Petitions and memorials they made to Traduce us, Wee are told have been Transmitted to your Excellency which we pray you would order to be Laid before us that wee may have an opportunity of Vindicating our Innocency

By order of the General Assembly

R^t LIVINGSTON, Speaker

Die Jovis 30th April 1719.

G Ludlow Cl.

Att a Councill held at fort George in Newyork, the 21st day of May, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Rob^t WALTER,
Coll BECKMAN,

THOMAS BYERLY,
Doctor JOHNSTON.

A Message from the house of Representatives by Coll Rutsen Dated the 20th of May 1719 with the Bill Intitled, An Act Reviveing An Act Intitled, An Act appointing an Agent for this Colony at the Court of Great Britain & for Raising of money annually to Defray the charge thereof in the Room of John Champanty Esq^r Deceased acquainting this board that they had past the same and Desireing the concurrence of this Board thereto

Ordered, that Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered, a Second Reading

A Message from the house of Representatives by Coll Provost dated the 14th of May 1719 with the Bill Intitled, An Act Reviveing An Act Intitled, An Act for Laying a Duty in goods sold by Vendue or Acquainting this Board that they had past the Same and Desireing the Concurrence of this Board thereto

Ordered, That Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered, a Second Reading

A Message from the house of Representatives by M^r Cuyler dated the 20th of May 1719 with the Bill Intitled, An Act for reviveing An Act Entitled, An Act for Regulating Slaves Acquainting this Board that they had past the Same and Desireing the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second Reading

The Memorial of Thomas Byerly Esq^r Collector and Receiver Gen^l of his Majesty's province of Newyork Desireing this board to Recommend the further Repair of the Custom house to the house of Representatives was read

Then M^r Vandam took his place

A Message from the house of Representatives by Cap^t Lewis Dated 20th of May 1719 with the Bill Intitled, An Act for reviveing An Act Intitled, An Act for the regulating and Returning able and Sufficient Jurors in Tryals at Law Acquainting this Board that they had past the Same and Desireing the Concurrence of this Board thereto

Ordered, that Said Bill be Read the first time

Then Said Bill was Read the first time and

Ordered a Second Reading

Att a Councill held at Fort George in New York, the Second day of June, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Coll BECKMAN,
M^r BARBERIE,

M^r VAN DAM,
M^r PHILLIPSE.

A Message from the House of Representatives dated the twenty Seventh of May 1719 by M^r Lakerman with the Bill Intitled, An Act for Repealing an Exception or provisoe Mentioned

and Expressed in one Act of General Assembly Intituled, An Act for the better Laying out Clearing and preserving Publick Common Highways in this Colony and for the Erecting and Building a County Goal and County House in the County of Richmond, acquainting this Board that they had past the Same and Desired the Concurrence of this Board thereto

Ordered, that Said Bill be Read the first time

Then Said Bill was Read the first time and

Ordered, a Second Reading

A Message from the House of Representatives dated the 22^d of May 1719 by Mr Carrell Hansen with the Bill Entituled, An Act for Raiseing of Sixty Ounces of Plate for the Township of Schenectady in the County of Albany, Acquainting this Board that they had past the Same and Desiring the concurrence of this Board thereto.

Ordered, that Said Bill be Read the first time

Then Said Bill was Read the first time and

Ordered a Second Reading

Att a Council held at Fort George in New York, the fourth Day of June, 1719.

PRESENT —

His Ex^o ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r VAN DAM,
M^r BYERLEY.

The Bill Intitled, An Act Reviveing An Act Intitled, An Act for the Regulating and Returning able and sufficient Jurors in Tryals at Law was Read the Second time and Committed to the Gent. of this Board or any five of them

The Bill Intitled, An Act Reviveing An Act Intitled, An Act appointing an Agent for this Colony at The Court of Great Britain and for raising of money annually to Defray the charge thereof in the Room of John Champanty Esq^r Deceased was Read the Second time and Committed to the Gent. of this Board or any five of them

The Bill Intitled, An Act for Reviveing An Act for Regulateing Slaves was Read the Second time and Committed to the Gent. of this Board or any five of them

The Bill Intitled, An Act Reviveing An Act Intitled An Act for Laying a Duty on Goods sold by Auction Vendue or Outery was Read the Second time and Committed to the Gent. of this Board or any five of them

The Bill Intitled, An Act for Repealing an Exception or Provisoe mentioned and Expressed in one Act of General Assembly Intitled, An Act for the better Laying out clearing and preserving Publick Common Highways in this Colony and for the Erecting and Building a County Goal and County House in the County of Richmond was Read the Second time and Committed to the Gent. of this Board or any five of them

The Bill Intitled, An Act for Raiseing of Sixty ounces of Plate for the Township of Schenectady in the County of Albany was Read the Second time and Committed to the Gent. of this Board or any five of them

A Message from the House of Representatives Dated the 2^d Day of June 1719 By Mr Hendrick Hansen with the Bill Intitled, An Act to authorize the Justices of the Peace to Build and Repair Goals and Court Houses in the several counties of this Province acquainting this Board that they had past the same and desiring the Concurrence of this Board thereto

Ordered, that said Bill be Read the first time

Then said Bill was Read the first time and

Ordered a Second Reading

Att a Council held at fort George in Newyork, the 11th of June, 1719.

PRESENT —

His Excellency ROBT HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
Coll HEATHCOTT,
RIP VANDAM,

M^r PHILLIPSE,
M^r BYERLEY,
Doctor JOHNSON.

A Message from the house of Representatives with the Bill Intitled, An Act to Elect Supervisors in Dutchess County dated the tenth of june 1719 by M^r Terbush acquainting this Board that they had past the same and Desiring the Concurrence of this Board thereto

Ordered, that said Bill be read the first time

Then said Bill was read the first time and

Ordered a Second Reading

A Message from the house of Representatives Dated the tenth day of June 1719 by Cap^m Cuyper with the Bill intituled, An Act to Enable the precincts of Haverstraw in the County of Orange to Cause a Supervisor, a Collector, two Assessors, one Constable & two oversiers of high ways, acquainting this Board that they had past the same, and Desiring the Concurrence of this Board thereto

Ordered, that said Bill be read the first time.

Then said Bill was read the first time &

Ordered a Second Reading

A Message from the house of Representatives Dated the tenth day of June 1719 by Major Seberingh with the Bill Intituled, An Act for naturalizeing Tedeus Beekman, Jan Van Taerlingh & Pieter Vander Lyn acquainting this Board that they had past the same and Desiring the Concurrence of this Board therto

Ordered, that said Bill be read the first time

Then said Bill was read the first time and

Ordered a Second Reading.

The Bill Intituled, An Act to authorize the Justices of the peace to build and Repair Goales and Court houses in the several Counties of this province was read a Second time and Committed to any five or more of the Gent. of this Board

The Bill Intituled, An Act to Elect Supervisors in Dutchess County was read a Second time and Committed to the Gent. of this Board or any five of them

The Bill Intituled, An Act to Enable the precincts of Haverstraw in the County of Orange to Chuse a Supervisor, a Collector, two Assessors, one Constable and two oversiers of highways was read the Second time & Committed to the Gent. of this Board

The Bill Intituled, An Act for Naturalizeing Tedeus Beekman, Jan Van Taerlingh & Pieter Vanderlyn was read a Second time and Committed to any five or more of the Gent. of this Board

At a Council held at fort George in Newyork, June the 13th, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERIE,

M^r PHILLIPSE,
M^r BYERLY,
Doctor JOHNSTON.

A Message from the house of Representatives with the Bill Intituled, An Act for Destroying Wolves in Dutchess County Dated the twelve of June by Cap^t Lewis acquainting this Board that they had past the same and Desired the Concurrence of this Board thereto.

Ordered, that said Bill be read the first time

Then said Bill was read the first time and

Ordered a Second Reading

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intituled, An Act reviveing An Act Intituled, An Act appointing an Agent for this Colony at the Court of Great Brittain and for raiseing of money annuall to Defray the charge thereof in the room of John Champanty Esq^r Deceased, reported that they had gone through the same and made no amendment therto

Ordered, that said Bill be read the third time

Then said Bill was read the third time and past

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intituled, An Act reviveing An Act Entitled, An Act for the Regulateing and Returning able and sufficient Jurors in Tryals at Law reported that they had gone through the said Bill with out Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time and past

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intituled, An Act to Elect Supervisors in Dutchess County, reported that they had gone the same without any Amendment

Ordered, that said Bill be read the third time

Then said Bill was Read the third time and past

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intituled, An Act to Enable the precincts of Haverstraw in the County of Orange to Chuse a Supervisor, a Collector, two Assessors, one Constable and two Oversiers of highways, reported that they had gone through the same and made no Amendment therto

Ordered, that said Bill be Read the 3^d time

Then said Bill was read the third time & past

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intitled, An Act for repealing an Exemption or proviso mentioned and Expressed in one Act of General Assembly Entitled, An Act for the better Laying out, clearing and preserving publick comon highways in this Colony & for the Erecting and building a County Goal & County house in the County of Richmond, reported that they had gone through the same and made no Amendment thereto

Ordered, that said Bill be read the third time

Then said Bill was read the third time & past

Coll Beekman for Coll D Peyster Chairman of the Committee to whom was Referred the Bill Intitled, An Act for raising of Sixty ounces of plate for the Township of Schenectadie in the County of Albany, reported that they had gone through the same without any Amendment

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time & past

Coll Beekman for Coll Depeyster Chairman of the Committee to whom was Referred the Bill Intitled, An Act for Regulating Slaves, reported that they had gone through the same without any Amendment

Ordered, that the said Bill be read the third time

Then said Bill was read the third time and past

Ordered, that Coll Beekman do acquaint the house of Representatives that this Board has past the Last seven Bills without Amendment

Att a Council held at fort George in Newyork, the 16th of June, 1719.

PRESENT—

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll BEEKMAN,
RIP VANDAM,
M^r BARBERIE,

M^r BYERLY,
Doctor JOHNSTON.

The Report of the Repairs that are wanting for the Custom house of New York being read this Board recommends it to the Consideration of the house of Representatives

Coll Beekman Chairman of the Committee to whom was Referred the Bill Entitled, An Act for Naturalizeing Tedijs Beekman, Jan Van Tearling and Pieter Vanderlyn, Reported that they had gone through the same without amendment

Ordered that the said Bill be Read the third time

Then the said Bill was read the third time & past

Ordered, that Coll Beekman do acquaint the house of Representatives that this Board has past the said Bill without Amendment

M^r Barberie Chairman of the Committee to whom was referred the Bill Intitled, An Act for Annulling and making void a fraudulent Conveyance of Mary Davenport made by her when she was sole, reported that they had gone through the same without Amendment

Then the Petition of Edward Pennant praying the said Bill be recommitted, was read

Ordered, that said Bill be Recommitted to the Gentlemen of this Board or any five of them.

Att a Council held at fort George in Newyork, the 17th day of June, 1719.

PRESENT—

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTERS,
Coll BEEKMAN,

Coll BYERLEY,
M^r CLARKE,
Doctor JOHNSTON.

A Message from the house of Representatives by Alderman Kip dated the 11th of june 1719 with the Bill Intitled, An Act Laying a Duty on all Empty Cask Imported into this Colony, Acquainting this Board that they had past the Same and Desireing the Concurrence of this Board thereto

Ordered, that Said Bill be Read the first time

Then Said bill was read the first time and

Ordered a Second Reading

A Message from the house of Representatives by Coll Morris and Coll Provost dated the 16th day of june 1719 with the Bill Intitled, An Act for a Supply to be granted to his Majesty for Supporting his Government in the province of Newyork from the first day of july w^{ch} Shall be in the Year of our Lord One thousand Seven hundred and twenty untill the first day of july

One thousand Seven hundred and twenty one, Acquainting this Board that they had past the Same & Desiring the Concurrence of this Board thereto

Ordered, that Said Bill be read the first time

Then Said Bill was read the first time and

Ordered a Second Reading

A Message from the house of Representatives by Coll Hicks dated the Sixth day of June 1719 with the Bill Intitled, An Act to prevent Rams running at Large in the Township of Hemstead in Queens County, Acquainting this Board that they had past the Same and Desiring the Concurrence of this Board thereto

Ordered, that Said Bill be read the first time

Then Said Bill was read the first time and

Ordered a Second Reading

A Message from the house of Representatives by Cap^t Budd dated the Sixteenth day of June 1719 with the Bill Intitled, An Act to Enable the Justices Inhabiteing in the parish of Rye & the Vestreymen of the Said parish or the Major part of them to raise a Certain Sum of money for the keeping in Repair the parish Church of the Said parish, Acquainting this Board that they had past the Same & Desiring the Concurrence of this Board thereto

Ordered, that Said Bill be read the first time

Then Said Bill was read the first time &

Ordered, a Second Reading.

A Message from the house of Representatives by Mr Coemans dated the 16th day of June 1719 with the Bill Intitled, An Act for building a Bridge over the Creek or kill called Kinder-hooks Creek or kill in the County of Albany & for Altering the highways in that part of the Said County, Acquainting this Board that they had past the Same and Desiring the Concurrence of this Board thereto

Ordered, that Said Bill be read the first time

Then Said Bill was read the first time and

Ordered a Second reading

The Bill Intitled, An Act Laying a Duty on all Empty Cask Imported into this Colony, was read a Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Intitled, An Act for a Supply to be granted to his Majesty for Supporting his Government in the province of Newyork from the first day of july which shall be in the year of our Lord One thousand Seven hundred and twenty untill the first day of july One thousand Seven hundred and twenty One, was read a Second Time and Committed to any five or more of the Gent. of this Board.

The Bill Intitled, An Act to prevent Rams running at Large in the Township of Hemstead in Queens County, was read the second time & Committed to the Gent of this Board or any five of them

The Bill Intitled, An Act to Enable the Justices Inhabiteing in the parish of Rye & the Vestreymen of the parish or the major part of them to raise a certain sum of Money for keeping in repair the parish Church of the said parish, was read the second time & Committed to the Gent of this Board or any five of them

The Bill Intitled, An Act for building a bridge over the creek or kill called the Kinder hook creek or kill in the County of Albany and for Altering the highway in that part of the said County, was read the second time and Committed to any five or more of the Gent of this Board

Att a Councill held at fort George in Newyork, the 18th day of June, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Col D'PEYSTER,
ROBT^r WALTER,
Coll BECKMAN,
RIP VANDAM,
Coll HEATCOTT,

Mr BARBERIE,
Mr PHILLIPSE,
Mr CLARKE,
Doctor JOHNSTONX.

Coll Beekman Chairman of the committee to whom was Referred the Bill Intitled, An Act to Authorize the Justices of the peace to build and Repair Goals and Court houses in the several Counties of this province, Reported that they had gone through the same without Amendment

Ordered, that said Bill be Read the third time

Then said Bill was read the third time and past without amendm^t

Coll Beekman Chairman of the committee to whom was Referred the Bill Intitled, An Act for reviveing An Act intituled, An Act for Laying a Duty on goods sold by Auction, Vendue or Out Cry, reported that said Committee has gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time & past without Amendment

Coll Beekman Chairman of the Committee to whom was Referred the Bill Intituled, An Act for Destroying Wolves in Dutchess County, Reported that they had gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time & past without Amendment

Coll Beekman Chairman of the Committee to whom was Referred the Bill Intituled, An Act for building a bridge over the Creek or Kill* in the County of Albany & for Altering the highway in that part of the said County, reported that they had gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time and past without Amendment

Coll Beekman Chairman of the Committee to whom was Referred the Bill Intituled, An Act to prevent Rams running at Large in the Township of Hemstead in Queens County, Reported that said Committee had gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time and past without Amendment

Coll Beekman Chairman of the Committee to whom was referred the Bill Intituled, An Act to Enable the Justices inhabiteing in the parish of Rye and the Vestreymen of the said parish or the major part of them to raise a certain sum of money for the keeping in repair the parish church of the said parish, Reported that said Committee had gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time & past without Amendment

Coll Beekman Chairman of the Committee to whom was referred the Bill Intituled, An Act Laying a Duty on all Empty Cask Imported into this Colony, Reported that they had gone through the same without Amendment

Ordered, that said Bill be read the third time

Then said Bill was read the third time and past

Ordered, that Coll Beekman do acquaint the house of Representatives this Board has past said Bills without Amendment

Att a Council held at fort George in Newyork, the 20th day of june, 1719.

PRESENT —

His Excellency ROB^t HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
Coll HEATHCOTT,

M^r BARBERIE,
M^r PHILLIPSE,
M^r BYERLY,
GEORGE CLARKE,
Doctor JOHNSTON.

George Clarke Esq^r Chairman of the Committee to whom was referred the Bill Intituled, An Act for a supply to be granted to his Majesty for Supporting his Govern^t in the province of Newyork from the first day of july which shall be in the year of our Lord one thousand seven hundred and twenty untill the first day of july one thousand seven hundred and twenty one, acquainted this Board that said Committee had gone through the said Bill and made several amendments thereto which he was ready to Report when this Board should please to Receive the same

Ordered, that said report be made immediatly

Then said George Clarke reported the several Amendments in his place

And the vote being put, Agree or Disagree to each of them, they were severally disagreed to by this Board

And the vote being put whether the said Bill should be read the third time without Amendment?

It was carried in the affirmative

Ordered, that said Bill be read the third time without Amendment

Then said Bill was read the third time without Amendment

And the vote being put whether the said Bill should pass without Amendment or not?

It was carried in the affirmative

Ordered, that said Bill do pass without amendment

Ordered, that George Clarke Esq^r do Acquaint the house of Representatives that this Board has past said Bill without amendment.

A Message from the House of Representatives by Cap^t Terbush dated the nineteenth of june 1719 with the Bill Intituled An Act for settling the Estate of Thomas Lewis late of the City of

* called Kinderhook Creek or Kill.

Newyork deceased acquainting this Board that they had past the same and Desiring the Concurrance of this Board thereto

Ordered, that said Bill be Read the first time

Then Said Bill was read the first time &

Ordered a Second Reading

Edward Pennant haveing with Drawn his petition for Recommittment of the Bill Intitled, An Act for Annulling and makeing void a fraudulent Conveyance of Mary Davenport made by her when She was Sole &c and prayed that Said Bill might pass

Ordered, that Said Bill be read the third time

Then Said Bill was read the third time

And the vote being put, Whether the Said Bill Should pass or not?

It was Carried in the Affirmative.

Ordered, that Said bill do pass.

Ordered, that Mr Barberie do Acquaint the house of Representatives that this Board has past Said Bill without Amendment

The Bill Intitled, An Act for Settling the Estate of Thomas Lewis late of the City of Newyork Deceased, was read the Second time and Committed to the Gent. of this Board or any five of them

Att a Councill held at fort George in New York, the 24th of June, 1719.

PRESENT —

His Excelly ROB^t HUNTER, Esq^r, &c.,

Coll DEPEYSTER,
Coll BECKMAN,
Coll HEATCOTT,

Mr BARBERIE,
Mr PHILIPSE.

Coll Beekman Chairman of the Committee to whom was referred the Bill Entituled, An Act for Settling the Estate of Tho^s Lewis late of the City of New York Deceased, Reported that they had gone through the Same without Amendment

Ordered, the Said Bill be read the third time.

The Said Bill was read the third time and past without Amendment.

Ordered, Coll Beekman do Acquaint the house of Representatives this Board has past the Said Bill without Amendm^t

A Message from the House of Representatives by Cap^t Budd Dated the 24th of June 1719 with the Bill Entituled, An Act for Running and Assertaining the Lines of Partition and Division Betwixt this Colony and the Colony of Connecticut, Acquainting this Board that they had past the Same and Desiring the Concurrance of this Board thereto

Ordered, that the Said Bill be Read the first time

Then Said Bill was read the first time and

Ordered a Second Reading

The Said Bill read the Second time and Committed to the Gentlemen of this Board or any five of them

A Message from this Board to the house of Representatives requiering their Immediate attendance, which they Accordingly Attended with their Speaker, his Excellency made to them the following Speech viz^t

Gentlemen,

I have now Sent for you that you may be Witnesses to my Assent to the Acts pass'd by the Generall Assembly in this Session, I hope that what remains unfinished may be perfected to morrow when I intend to put a Close to this Session

I take this opportunity also to Acquaint you that my late Uncertain State of health the Care of my Little family and my private affiares on the other Side have at Last Determined me to make use of that Lysence of Absence which has been Some time Ago So Graciously Granted to me But with a firm Resolution to Return to you again If it is his Majestys pleasure that I should do So, but if that proves otherwise I Assure you that whilst I live I shall be Watchfull and Industrious to promote the Interest and Wellfare of this Country of which I think I am under the Strongest obligations for the future to Account myself a Countreyman

I look with pleasure on the Present Quiet and flourishing state of the People here whilst I Reflect on that which I found them at my arrival as the very name of party and faction seems to be forgott; may it forever Lye Buried in oblivion, and no strife ever happen amongst you but that Laudable Emulation who shall approve himself the most zealous servant and most dutyfull subject to the best of princes, and most usefull member of a well Establishd and flourishing Community of which yon Gentlemen have Given a happy Example, which I hope will be followed by future Assemblys. I mention it to your Honor and without Ingratitude and Breach of Duty I could do no Less

RO. HUNTER

His Excellency Gave his Assent to the following Acts viz^t.

An Act for a Supply to be Granted to his Majesty for Supporting his Government

An Act for Reviving An Act Entitled, An Act for the Regulating and Returning able and sufficient Jurors in Tryalls at law

An Act Reviveing An Act Entitled, An Act for Laying a Duty on Goods sold by Auction Vendue or Out Cry

An Act Laying a Duty on all Empty Casks Imported into this Colony

An Act for Reviveing An Act for Regulating Slaves

An Act Reviveing An Act Entitled, An Act appointing an Agent for this Colony at the Court of great Britain and for Raising of money annually to Defray the charge thereof in the Room of John Champanty Deceased

An Act for Repealing an Exception or provisoe mentioned and Expressed in one Act of Generall Assembly Entitled, An Act for the better Laying out clearing and preserving publick Common highways in this Colony and for the Erecting and building a County Goal and County House in the County of Richmond

An Act to authorize the Justices of the peace to build and Repair Goales & Court houses in the severall Counties in this province

An Act for Destroying Wolves in Dutchess County

An Act for annulling and making void a fraudulent Conveyence of Mary Davenport made by her when she was sole

An Act to Prevent Rams Running at Large in the township of Hemstead in Queens County

An Act for Building a bridge over the Creek or kill called Kinder Hooks Creek or Kill in the County of Albany and for altering the Highways in that part of the said County

An Act for Raising of Sixty ounces of plate for the township of Schenectady in the County of Albany

An Act to Enable the precincts of Haverstraw in the County of Orange to chuse a Supervisor, a Collector, two Assessors, one Constable and two Overseers of Highways

An Act to Elect Supervisors in Dutchess County

An Act for Naturalizing Tedeus Beekman, Jan Van Taerlingh & Pieter Vander Lyn

An Act for Setling the Estate of Thomas Lewis Late of the City of New York Deceased

An Act to Enable the Justices Inhabiting in the parish Rye and the vestrey men of the said parish or the major part of them to Raise a certain Sum of money for the keeping in Repair the parish Church of the said parish.

Att a Council held at fort George in Newyork, the 25th day of June, 1719.

PRESENT—

His Excellency ROBERT HUNTER, Esq^r, &c.,

Coll DEPEYSTER,

Coll BEEKMAN,

M^r BYERLY,

M^r BARBERIE,

M^r PHILIPSE,

M^r RIP VAN DAM.

Rip Van Dam Esq^r Chairman of the Committee to whom was Referred the Bill Intituled, An Act for Running and Ascertaining the Lines of Partition and Division betwixt this Colony and the Colony of Connecticut, Reported that they had gone through the same with some Amendments

Ordered, the said Bill be read the third time

Then said Bill was read the third time and past with some Amendments

Ordered, that Rip Van Dam Esq^r do Acquaint the house of Representatives that this Board has past the said Bill with some Amendments

A Message from the house of Representatives by Alderman Jansen dated the five and twentyth of June 1719 with the Bill Intituled, An Act to Ascertain the vallue of Lyon Dollars, acquainting this Board that they have past the same and Desiring the Concurrence of this Board thereto

Ordered, the said Bill be read the first time

Then said Bill was read the first time and

Ordered a second Reading

The said Bill Read the second time and Rejected

The General Assembly Attending their Speaker presented to his Excellency an Address in these words

To his Excellency Brigadier Rob^t HUNTER Esq^r Captain General and Governour in Chief in and over his Majesties Colonies of Newyork, Newjersey and all the Territories and Tracts of Land Depending thereon in America and vice admirall of the same &c

The Humble ADDRESS of the General Assembly of the Colony of Newyork

Sir

When we Reflect upon your Past Conduct, your Just, Mild and Tender Administra^{on}, it Heightens the Concern we have for your Departure and makes our grief such as words cannot truly Express

You have Governed well and wisely, like a prudent Magistrate like an affectionate parent ; and where ever you go and to whatever station the Divine providence shall please to assigne you our sincere desires and prayers for the Happyness of you and yours shall always attend you

Wee have seen many Governours and may see more, and as none of those who had the honour to serve in your station, were ever so justly fixt in the affections of the Governed so those to come will Acquire no mean Reputation, when it can be truly said of them, their Condnct has been like yours

Wee thankfully accept the honour you do us in calling yourself Our Countryman. Give us leave then to Desire that you will not forget this is your Country, and (if you can) make haste to Return to it

But if the service of our Sovereign will not admitt of what we so Earnestly Desire, and his Commands Deny us that happyness permitt us to address you as our friend ; and give us your Assistance when we are opprest with an Administration the Reverse of yours.

R^t LIVINGSTON, Speaker

Joh ^s Cuyler	John Stillwell	Lewis Morris
W ^m Willett	Abraham Lakeman	Leonard Lewis
Cornelius Cuyper	S. Gerritson	D. Provoost
Tho ^s Willett	Carel hansen	Joh Jansen
Johannes Terbos	hend. hansen	Jacobus Kip
Cornelius Sebering	Andries Coemans	Pieter Harring
		Joseph Budd

His Excellcy [gave] his Assent to the following Act

An Act for Running and Ascertaining the Lines of partition & Division betwixt this Colony & the Colony of Connecticut

[N. Y. Col. MSS., LXII., 83.]

BY THE HONOURABLE

PETER SCHUYLER, Esq ; President of his Majesty's Council for the Province of *New-York* and Territories thereon Depending in *America*, &c

A PROCLAMATION.

WHEREAS the General Assembly of the said Province stands adjourned to the *first Tuesday* in *May* next, I have therefore for his Majestys Service thought fit with the Advice of His Majestys Conncell and by Vertue of the Powers and Authoritys unto Me derived, Further to Adjourn the said General Assembly of the said Province of *New York*, unto the *Second Tuesday* in *June* next, And I do hereby accordingly adjourn the said General Assembly unto the *Second Tuesday* in *June* next. Whereof all his Majestys Subjects in the said Province are to take Notice and Govern themselves accordingly.

Given under my Hand and Seal at Arms at New York, the 21th Day of April in the Sixth Year of the Reign of our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland King, Defender of the Faith &c. Annoq, Domini 1720

By his Honour's Command,
I. Robin, D. Secry.

P. SCHUYLER.

God save the KING.

[IN EXECUTIVE SESSION]

6th of June 1720

Ordered, a Proclamation Issue for Adjourning the Generall Assembly of this Province till the third tuesday in July next

14th of July 1720

The President acquainting this Board that the time to which the Assembly of this Province was last adjourned near Expires, tis

Ordered, that a Procl. Issue for adjourning the said Gen^l Assembly till y^e third tuesday in September next.

5th of September 1720

The President acquainting this Board that the time to which the Gen^l Assembly of this Province was last adjourned near Expiring, Tis

Ordered, that a Procl. Issue for adjourning the said Gen^l Assembly till the second tuesday in October next

[N. Y. Col. MSS. LXII., 162.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of *New York, New Jersey* and Territories depending thereon in *America*, and Vice-Admiral of the same, &c.

A PROCLAMATION.

WHEREAS the General Assembly of the Province of *New York* stands adjourned to the Second *Tuesday* in *October* next, I have therefore, for his Majesty's service, thought fit to Adjourn the said General Assembly, and I Do, by Vertue of the Powers and Authorities unto Me granted by His Majesty under the Broad Seal of *Great Britain*, hereby further Adjourn the said General Assembly of the said Province unto *Thursday* the Thirteenth Day of *October* next, Then to meet at the City of *New York*. And I Do hereby accordingly Adjourn the said General Assembly Unto *Thursday* the Thirteenth Day of *October* next. Whereof all His Majesty's Subjects in the said Province are to take Notice and Govern themselves accordingly.

Given under My Hand and Seal at Arms at Fort George in New York the 29th Day of September in the Seventh Year of the Reign of our Sovereign Lord George by the Grace of God, of Great Britain France and Ireland, King, Defender of the Faith, &c. Annoq; Domini 1720.

By his Excellency's Command,

I. Robin, D. Secry.

W. BURNET.

God save the KING.

SEVENTEENTH ASSEMBLY EIGHTH SESSION

At a Council held at Fort George In New York, Octob^r the 13th, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VAN DAM,

Coll HEATHCOTE,
M^r BARBERIE,
M^r PHILLIPSE,
M^r HARRISON.

A Message from the House of Representatives of this province by their Clarke acquainting this Board that they were met pursuant to his Excellencys Proclamation, and desiring to know his Ex^{cy}s Pleasure when they should attend

Ordered, that they attend this Board immediately

The Assembly Attending with their Speaker his Excellency made the following Speech in *Hæc Verba*

Gentlemen,

I am fully sensible of my unfitness to fill the room of my incomparable Predecessor and to meet Gentlemen who have for some years been near witnesses of his wise and worthy administration

I could not recover my uneasyness on this Head were there not many happy Circumstances to relieve me. I serve the best Prince that ever was, from whom I may depend on the most gracious acceptance of my unworthy services

I succeed a Gentleman who left this Province in a flourishing State and is still ready to take care of its Intrest which his majestys favour and the General regard shewn him at home will give him great opportunitys of doing and which in the most affectionate Terms to this People and to myself he has heartily undertaken

I meet a Council and Assembly who concurred with him and assisted him in those great and good measures that are now compleatly confirmed by his Majesty which have been so effectual to Settle the Peace and Publick Credit of the Province and are so much of the same nature with those Glorious and Successfull methods so lately taken by the Legislature of great Britain for Payment of all the Publick Debts by Increasing the circulation of Paper Credit

Vpon the whole when I consider the Present state of affairs and compare it with the Distracted and unsettled Posture in which my Predecessor found them I begin to flatter myself that my Task will be much easier, my assistance much greater than he met with at his first coming

Gentlemen of the Assembly—

After such proofs of your Care of Credit and the Support of Government I have no room left to doubt of your finding an immediate and Effectnal Remedy for the great Deficiency of the Present Revenue, I leave it to you to Judge if it is not time to make a further provision for the Support of Government since the present Act will Expire in July next

And this I am commanded by his Majesty to recommend to your earnest consideration. In providing a Revenue for a reasonable Term you will shew your opinion of those employed by his Majesty among you, and above all give the best proof of your thankfulness to his Majesty for his most gracious care of your continuance by his late commands signified by M^r Secretary Craggs to the President of the Council That you be not Dissolved nor suffred to Dissolve for want of due Prorogation

I Come now to an affair of the last Importance to your selves and the safety of the Country and what I thought my Dnty to recommend to your Care without loss of time the Present Condition of the Frontier, I must believe that whilst you approve yourselves Loyal to his Majesty and Just to one another in paying the Publick Debts you will not neglect that first principal of nature self preservation It is no less that comes now before you than whether you will suffer the Province to lye open to the first attempt the French shall think fit to make against it, this must be the case if we Look on patiently and see them advanceed every Day further into our Country, Building Tradeing Houses in the main passes belonging to it, Seducing numbers of our Indians to live among them, setting others on Expeditions against those who depend on a Neighbouring British Colony and Spreading false and scandalous reports among the Five Nations in order to Draw them of from their allegiance to the crown of Great Britain

This is the substance of our best and freshest advices from those parts and what the most Trusty of our Indians have Communicated to us Imploring our Immediate help to prevent their Nations from falling Entirely into the Hands of the French of which wee know the fatall Consequence, Now if in a time of profound Peace, Wee find the French Using Such arts and by their new Settlement on Missisipi give us Just reason to apprehend a Dangerous Increase of

their Power, Can We be So much Wanting to our Selves as to Loose a Moment in providing for our own Security

Wee may Yet do what I hope will be Effectual by Repairing our Ports which are now in a Totall Decay, Building new ones where it Shall be found necessary putting our Militia in the best Condition for Service Using our utmost Endeavour to Restablish our Intrest with the Indians and preventing any Trade on this Side that may be Destructive to the Publick

Thus without any Imputation of violating the Peace with France on our part Wee may be Secure in all Events against a Nation whos Practices Among us have had a Constant view to their Own Ambition and our ruin

Gentlemen,

Wee live in the happiest of times ; our Mother Country Great Britain flourishes beyond what was ever known before, in Wealth Power and Glory, Wee may Ascribe it to a Blessing, that attends such National Virtues as Publick Spirit and Publick faith in which She has Outshin'd all her Neighbours

The glorious Revolution begun by King William of immortal memory has now after many Strugles and Dangers Received its finishing Stroke and utmost perfection and Seems now Secured beyond the reach of Any Thing but Envy

The present age cannot be happier than under a Prince so admired and beloved as his Majesty nor Posterity have a fairer Prospect than from the next heir to the Crown and the whole Illustrious Line after him

These Blessings reach us tho' in a Lower and remoter Sphere and as great Britain is an Example to other Nations, Wee have advantage that if wee improve will make us a Patron to other Colonys.

At a Council held at Fort George In New York, the 27th of Octob^r, 1720.

Post Meridiem.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VAN DAM,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARISON.

A Message from the House of Representatives by Coll Rutsen dated the 21st of this Instant with the Bill Intituled, An Act for continuing An Act of General Assembly Entituled, An Act for the better Setling the Militia of this Province and makeing it more Usefull for the Security and Defence thereof and Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered a Second Reading

A Message from the House of Representatives by Coll Willet dat. the 26th of this Instant with the Bill Entituled, An Act for the further laying out Regulating and better Clearing Publick highways throughout this Colony and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a Second Reading

The whole House of the General Assembly attending with their Speaker presented to his Excellency An Address which follows in *Hec Verba*.

To his Excellency WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of New York, New Jersey and Territories depending thereon in America, and Vice Admiral of the same.

The Humble Address of the General Assembly of the Colony of New York.

May it please yo^r Excellency—

Almost a ten years Experience of the Just and Steady, but mild Administration of Brigadier Hunter Endear'd him to the Generality of his Majestys Subjects here, and to all such who Esteem'd the late happy revolution as an Extraordinary Instance of the favour of heaven to the British Nation and this Province, gave us Reason to desire his return to this Place.

We thank your Excellency for the just observes you have made on his conduct and the kind notice you are pleased to take of our Endeavours to Settle the Peace and Publick Credit of this Colony, which we hope will not fail of having the desired Success.

However distasteful our Demeanour may have been to some mistaken (though otherwise well meaning) Men, Yet since his Majesty has been graciously pleased to approve of it, and think it necessary for his service, that we be continued, We have abundant Reason to Regulate our Conduct in such manner that his Majesty may retain his favourable sentiments of us. To answer the Expectations his Majesty and your Excellency have from us, We have resolved to raise an ample and honourable support for his Majesty's Government here, and to Continue the same for five years, And while we have the honour to Continue in this publick station, our Care shall be, that such a support shall never be wanted, and to make up any deficiency that by unforeseen accidents may happen in it.

Every other thing recommended by your Excellency shall be duly Considered of by us, and such suitable Remedy Provided as the shortness of time, nature of the thing and circumstances of the Province will Admit.

We believe that the son of that worthy Prelate, so Eminently Instrumental under our glorious Monarch, William the third in delivering us from Arbitrary Power, and its concomitants Popery, Superstition and Slavery has been Educated in and possesses those Principles that so Justly recommended his Father to the Councils and Confidence of Protestant Princes and succeeds our former Governour, not only in Power, but Inclinations to do us good.

As we desire that your administration may prove happy to us, easie and beneficial to yourself, so we shall contribute our utmost Endeavours to make it so, and we hope prove successfull notwithstanding any Machinations of weak Men Combin'd to make it otherwise.

R^t LIVINGSTON, Speaker

Lewis Morris
Sam Gerretsen
Jacob Rutsen
Cornel. Seabring
Jan Jansen
Garrit Vanhorn
Isaac Hicks—
Joseph Budd—
John Stillwell
Leonard Lewis,
Thomas Willet

David Provoost
Jacobus Kipp
Andries Cocymians
John Cuyler
William Willet
Peter Haringh
John Terbos
Carel Hanse
Abrah Lackerman
Cornel Cuyper
Hen. Hansen
A. Gaasbeck Chambers

At a Council held at Port George in New York, the 28th of October, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

Mr BYERLEY,
Doctor JOHNSTON.
FRANCIS HARISON.

The Bill Entituled, An Act for continuing An Act of Gen^l Assembly Entituled, An Act for the better Settling the Militia of this Province and making it more usefull for the Security and Defence thereof, was Read a second time, And Committed to the Gent of this Board or any five of them

The Bill Entituled, An Act for continuing An Act of Gen^l Assembly Entituled, An Act for the further laying Out Regulating and better Clearing Publick Highways through out this Colony, was Read a Second time, And Committed to the Gent. of this Board or any five of them

Then Mr Van Dam took his place

His Excellency withdrawing, the Gent. of the Council Resolved into a Committee.

His Excellency returning to the Council Chamber,

Coll Depeyster Chairman of the Committee to whom was Referred The Bill Entituled, An Act for continuing An Act of General Assembly Entituled, An Act for the better Settling the Militia of this Province &c Reported that they had gone through the same without any Amendments, to which Report this Board agrees.

Ordered, the said Bill be read the third time

Then the said Bill was Read the third time and agreed to without any Amendments.

Ordered, that Coll Depeyster do Acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments.

Coll Depeyster Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the further laying out Regulating and better Clearing Publick Highways thro'out this Colony Reported that they had gone through the same without any Amendments, to which Report this Board agree.

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and agreed to without any Amendments

Ordered, that Coll. Depeyster do acquaint the House of Representatives that the Council has Agreed to the said Bill without any Amendments

At a Council held at Fort George in New York, y^e 3^d Novemb^r, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Coll. DEPEYSTER,
Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARISON.

A Message from the House of Represent. by Coll Chambers and Captain Stillwell dated the 1st of this Inst with the Bill Entituled, An Act appointing the several Persons therein named and appointed to let to Farme the Exise for Strong Liquors in the several Citys and Countys within this Province, and desiring the Concurrence of this Board thereto

Ordered, the said Bill be Read the first time,

Then the said Bill was Read the first time

M^r Byerley desired his Dissent might be entred against the Clause therein relating to the payment of the Excise to the Treasurer.

Ordered, the said Bill be Read the second time.

A Message from the House of Represent. by Alderman Jansen dated the first of this Inst. with the Bill Entituled, An Act directing and appointing the Value that Lyon Dollars shall pass Current for in this Province and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time, and

Ordered a Second Reading.

The Bill Entituled, An Act appointing the several Persons therein named and appointed to let to Farm the Excise of Strong Liquors in the several Citys and Countys within this Province, Was Read the second time, and Committed to the Gent. of this Board or any five of them

The Bill Entituled, An Act directing and appointing the value that Lyon Dollars shall pass Current for in this Province, Was Read the second time, and Committed to the Gent of this Board or any five of them.

At a Council held at Fort George in New-York, Nov^r y^e 4th, 1721. (sic).

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,
Cap^t. WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARISON.

Doctor Johnston Chairman of the Committee to whom was Committed the Bill Entituled, An Act appointing the several Persons therein named and appointed to Let to Farm the Excise of Strong Liquors in the several Citys & Countys within this Province, Reported that they had gone through the same without any amendments, to which Report this Board agree, and

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and agreed to without any amendments.

Ordered, that Doctor Johnston do acquaint the House of Representatives that the Council has agreed to the said Bill without any amendments

Doctor Johnston Chairman of the Committee to whom was Committed The Bill Entituled, An Act directing and appointing the value that Lyon Dollars shall pass Current for in this Province, Reported that they had gone through the same without any amendments, to which Report this Board agree.

Ordered, the said Bill be Read the third time.

Then the said Bill was Read the third time and agreed to without any amendments

Ordered, that Doctor Johnston do acquaint the House of Represent. that the Council has agreed to the said Bill without any amendments.

Att a Council held at Fort George in New York, the 9th of Nov^r, 1720. P. M.

PRESENT —

His Ex^{cy} W^m BURNET, Esq^r, &c.,

Cap^t WALTER,
M^r VAN DAM,
M^r BYERLEY,

Doctor JOHNSTON,
M^r HARISON.

A Message from the House of Representatives by Cap^t Budd dated the 4th of this Instant with the Bill Entituled, An Act to Impower the Justices of the Peace in the County of West Chester to assign a Place to Build a Court House and Goal for that County, and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was Read the first time, and

Ordered a second Reading

A Message from the House of Representatives by Alderman Kipp dated the 7th of this jnst with the Bill Entituled, An Act for reviving An Act of General Assembly Entituled, An Act for Mending and keeping in repair the Post Road from New York to King's Bridge, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading.

A Message from the House of Represent. by Coll. Stilwell dated the 8th of this jnst. with the Bill Entituled, An Act Prohibiting all Persons but Robert Lettis Hooper and his Assigns to refine sugar during the Term therein mention'd and desiring the Concurrence of this Board thereto.

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a second Reading

The Bill Entituled, An Act to Impower the Justices of the Peace in the County of West Chester to assign a Place to Build a Court House and Goal for that County, Was Read the second time, and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act Prohibiting all Persons but Robert Lettis Hooper and his Assigns to Refine Sugar during the Term therein mention'd was Read the second time and Committed to the Gent. of this Board or any five of them

The Bill Entituled, An Act of General Assembly for mending and keeping in Repair the Post Road from New York to King's Bridge, was Read the second time and Committed to the Gent. of this Board or any live of them.

At a Council held at Fort George in New York, Nov^r y^e 12th, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BEEKMAN,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARISON.

A Message from the House of Represent. by Coll Hicks dated the 10th of this jnst with the Bill Entituled, An Act for the Incouragement of Indian Trade and rendring it more beneficial to the Inhabitants of this Province and for the Prohibiting the Selling of Indian Goods to the French, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the House of Represent. by Alderman Kip dated the 10th of this Instant with the Bill, Entituled, An Act for continuing the Curreney of Bills of Credit, to the Value of Six thousand ounces of Plate, for and during the time therein mentioned, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the House of Represent. by Major Seabring dated the 10th of this Inst. with the Bill Entituled, An Act to Enable Garrit Vanhorn and Cornelius Vanhorn to sell and dispose of a certain House and Ground scituante lying and being in the City of New York and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time

Then the Said Bill was Read the first time and

Ordered a Second Reading.

A Message from the House of Represent. by Coll. Provoost dat. y^e 10th of this just with the Bill Entituled, An Act to enable Susanna Davis to Sell and Dispose of four Lots, peices and Parcels of ground in the City of New York and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered, a Second Reading.

Mr Harison Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Impower the Justices of the Peace in the County of West Chester to assign a Place to Build a Court House and Goal for that County, Reported that they had gone through the Same without any Amendments to which Report this Board Agree.

Ordered, the Said Bill be Read the third time.

Then the Said Bill was Read the third time and Agreed to without Any Amendments.

Ordered, that Mr Harison do Acquaint the House of Representatives that the Council has Agreed to the Said Bill without Any Amendments.

Mr Harison Chairman of the Committee to whom was Committed the Bill Entituled, An Act for reviving An Act of General Assembly Entituled, An Act for mending and keeping in repair the Poast Road from New York to King's Bridge, Reported that they had gone through the Same without Any Amendments. To which Report this Board Agrees

Ordered, the Said Bill be Read the third time

Then the Said Bill was Read the third time and Agreed to without any Amendment.

Ordered, that Mr Harison do Acquaint the House of Representatives that the Council has Agreed to the Said Bill without Any Amendments

Mr Harison Chairman of the Committee to whom was Committed the Bill Entituled, An Act Prohibiting all Persons but Robert Lettis Hooper and his Assigns to Refine Sugar during the Term therein mentioned Reported that they had gone through the Same without any Amendments to which Report this Board Agree, and

Ordered, the Said Bill be Read the third time.

Then the Said Bill was Read the third time and Agreed to without any Amendments.

Ordered, that Mr Harison do Acquaint the House of Representatives that the Council has Agreed to the Said Bill without any Amendments

The Bill Entituled, An Act for the Encouragment of the Indian Trade and rendring of it more beneficial to the Inhabitants of this Province and for Prohibiting the Selling of Indian Goods to the French, Was Read the Second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for the Continuing the Currency of Bills of Credit to the Value of Six thousand Ounces of Plate for and during the time therein mentioned, Was Read the Second time and Committed to the Gent of this Board or any five of them

The Bill Entituled, An Act to Enable Garret Vanhorn and Cornel Vanhorn to Sell and Dispose of a Certain House and Ground Scituate lying and being In the City of New York. Was Read the Second time, and Committed to the Gent of this Board or any five of them

The Bill Entituled, An Act to Enable Isabella Davis to sell and Dispose of four Lots or parcels of Ground in the City of New York, Was read the Second time and committed to the Gent. of this Board or any five of them

At a Council held at Fort George In New York, the 14th of Nov^r, 1720.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,

Cap^t WALTER,

Coll BEEKMAN,

Mr BYERLEY,

Doctor JOHNSTON,

Mr HARISON.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the Encouragement of the Indian Trade and of Rendring of it more beneficial to the Inhabitants of this Province and for Prohibiting the selling of Indian Goods to the french, Reported that they had gone through the same with out any Amendments; to which Report the Board agrees. And

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and agreed to without any Amendments.

Ordered, that Cap^t Walters do Acquaint the house of Representatives that the Council has agreed to the said Bill without any Amendments

Cap^t Walters Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the continuing the Currency of Bills of Credit to the value of six thousand ounces of

Plate for and During the time therein mentioned, Reported they had gone through the same without any Amendments, To which Report this Board agrees. And

Ordered, the said Bill be Read the third time

then the said Bill was Read the third time and agreed to without any Amendments

Ordered, that Capⁿ Walters do Acquaint the house of Representatives that the Council has agreed to the said Bill without any Amendments.

Capⁿ Walters Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Enable Isabella Davis to Sell & Dispose of four Lotts Peices or Parcels of Ground in the City of New York Reported they had gone through the same without any Amendments To which Report this Board agree, And

Ordered, said Bill be Read the third time

Then the said Bill was read the third time and agreed to without any Amendments.

Ordered, that Cap^t Walter do acquaint the House of Representatives that the Council has agree to the said Bill without any Amendments.

At a Council held at Fort George in New York, Novemb^r y^e 15th, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,

Cap^t WALTER,

Coll BECKMAN,

M^r VAN DAM,

Coll HEATHCOTE,

M^r BYERLEY,

Doctor JOHNSTON,

M^r HARRISON.

Ordered, That the Attorney General do Inspect the Bill Entitled, An Act to Enable Garrit Van Horn and Cornelius Van Horn to sell and dispose of a certain House and Ground Scituate, lying and being in the City of New York and that he do give his opinion upon the said Bill forthwith to this Board

A Message from the House of Represent. by Major Terbas dat. the 15th Inst. with the Bill Entituled, An Act for the Explaining of An Act of the General Assembly of this Colony Entituled, An Act for Settling the Boundaries between the Lands Granted by Patent unto Cornelius Cool, Adrian Gerritse, Mathias Tenycke, Jacobus Duboies, Johannes Schepmose, Roloff Swartswout, Cornelius Lamerse, Peter Peters, Lawrence Osterhout and Annetie Newkirk Scituate lying and being in the County of Ulster commonly called the Town of Hurly, and the Lands Granted by Patent unto Coll. Henry Beckman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalf of the Inhabitants of the Town of Marbletown in the County of Ulster aforesaid made in the fourth year of his Majestys Reign, and desiring the Concurrence of this Board thereto

Ordered the said Bill be read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

A Message from the House of Represent. by Coll. Morris, Major Seebring, Coll. Provoost, Alderman Jansen, Alderman Kip, Cap^t Van Horn, Coll. Hicks, and Cap^t Willet dat. the 15th of this Inst. with the Bill Entituled, An Act for a Supply to be Granted to his Majesty for Supporting his Government in the Province of New-York during the time therein mentioned and for repealing one Act of the Gen^l Assembly of this Province Entituled, An Act for a Supply to be Granted to his Majesty for Supporting his Government in the Province of New York from the first Day of July which shall be in the year of our Lord 1720 untill the first Day of July 1721 and desiring the Concurrence of this Board thereto.

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time

M^r Byerley desired his Dissent might be Entred to the word [Treasurer] as likewise to the words [Collector of the Province and the Weigh House] wherever the same are found in the said Bill.

Ordered, that the said Bill be Read the Second time.

At a Council held at Fort George in New-York, Nov^r 16th, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll DEPEYSTER,
Cap^t WALTER,
Coll BECKMAN,
M^r VAN DAM,

Coll HEATHCOTE,
M^r BYERLEY,
Doctor JOHNSTON,
M^r HARRISON.

The Petition of Charles Broadhead, John Beaty, and Cornelius Elting, Trustees of the Town of Marbletown in the County of Ulster on behalf of themselves and others the Freeholders and Inhabitants of the said Town, praying a hearing before this Board before the Bill Entituled, An Act for the Explaining An Act of General Assembly of this Colony Entituled, An Act for Setling the boundaries between the Lands Granted by Patent unto Cornelius Cole & others, be past into a Law, being Read,

Ordered, that the Pet^{rs} be heard upon the said Bill by their Council before this Board to morrow morning at the hour of Ten.

A Message from the House of Represent. by Coll. Willet dat. the 16th Inst. with the Bill Entituled An Act to lay a Duty of two pounds on every hundred pounds value prime cost of all European Goods Imported into this Colony and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

The Bill Entituled, An Act for a supply to be Granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned and for Repealing one Act of the General Assembly of this Province Entituled, An Act for a supply to be Granted to his Majesty for supporting his Government in the Province of New York from the first Day of July which shall be in the year of our Lord 1720 untill the first Day of July 1721—Was Read the second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act to Lay a Duty of two pounds on every hundred pounds Value prime Cost of all European Goods Imported into this Colony, was Read the second time and Committed to the Gent. of this Board or any five of them

At a Council held at Fort George in New York, 16th Nov^r, 1720

Post Meridiem.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,
Cap^t WALTER,
Coll. BECKMAN,

Doctor JOHNSTON,
M^r HARRISON.

Ordered, that a Message be sent to the House of Representatives acquainting them that the Committee of this Board to whom was Committed the Bill Entituled, An Act for a supply to be granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned and for Repealing &c., Have found in the said Bill what they apprehend to be an Error of the Clke as appears by the following Clauses—

First, Page 3^d Line 5th *For every Gallon of Rum B.andy or other Distill'd Liquor Imported directly from the Place of its production or manufacture the sum of fifteen Grains of Plate aforesaid.*

Second, Line 7th *For every Gallon of Rum or other Spirits Distill'd in this Province wholly or in part or from Molasses the sume of Seventeen Grains and half of Plate aforesaid.*

Third and by the word *fifteen Grains* which is found in Page y^e 24th Line y^e 11th and Page 25th Line y^e 5th *To be paid for Rum and other Distill'd Liquors.*

It is Querried whether the Clke did make an Error in inserting the words *seventeen and half* in the second of the above Clauses or did make an Error by taking the word *fifteen Grains* out of the first Clause and puting it into the two lastmentioned places, And to desire that the House would inform this Board how those clauses are to be reconciled. And that Cap^t Walter do carry this Message to the House.

At a Council held at Fort George in New - York, Nov^r 17th, 1720.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,
Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARISON.

Coll. Depeyster Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Lay a Duty of two pounds on every hundred pounds value prime cost of all European Goods Imported into this Colony, Reported that they had gone through the same without any Amendments

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and agreed to without any Amendments

Ordered, that Coll. Depeyster do Acquaint the House of Represent. that the Council has Agreed to the Said Bill without any Amendments.

A Message from the House of Represent. by Coll. Hicks dat. the 16th Inst. with the Bill Entituled, An Act for Continuing An Act Entituled, An Act for the Encouragment of Whaling and desiring the Concurrence of this Board thereto.

Ordered, the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered a Second Reading.

A Message from the House of Represent. by M^r Van Horn dat. the 16th of this Inst. with the Bill Entituled, An Act for the further Continuing An Act Entituled, An Act for Laying a Duty on Goods Sold by Auction, Vendue or Out Cry and rendring the Same more Effectual and desiring the Concurrence of this Board thereto

Ordered, the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered a Second Reading

Ordered, that the Report of the Attorney Gen^l upon the Bill Entituled, An Act to Enable Garrit Van Horn and Cornelius Van Horn to Sell and dispose of a Certain House and Ground Scituate lying and Being in the City of New York, be Referred to the Gent. of this Board or any five of them to whom the Said Bill is Committed.

The Bill Entituled, An Act for the Explaining of An Act of the General Assembly of this Colony Entituled, An Act for Settling the Boundaries between the Lands Granted by Patent unto Cornelius Cool, Adrian Gerritse, Mathias Tenycke and others, Scituate Lying and being in the County of Ulster Commonly Called the Town of Hurly, and the Lands by Patents Granted unto Coll. Henry Beekman, Cap^t Thomas Garton and Cap^t Charles Broadhead Trustees for and on the behalf of the Inhabitants of the Town of Marbletown in the County of Ulster aforesaid made in the fourth Year of his Majestys Reign, Was Read the Second time and

Ordered, that the Council desiring to be heard upon the Said Bill be Called in.

Upon hearing of the said Council It is

Ordered, that the said Bill be Referred to a further Consideration and that all parties Concerned be Served with proper notice hereof

A Message from the House of Represent. by Coll. Stillwell dated the 17th Inst. which follows in these words (viz)

House of Representatives Novembr 17th 1720

The House having perus'd the Message Sent by the Council of the 16th Inst. and for answer Say it is an Error in Transcribing of the Act Entituled, An Act for a Supply to be Granted to his Majesty &c. For that their meaning is that Distill'd Lignors should pay fifteen grains and not Seventeen and a half Grains And that in Page the third Line the 7th the word Fifteen grains is to be Inserted and the words Seventeen and half grains Struck out which they desire the Gent. of the Council to do Accordingly.

By order of the House of Represent.

R^t LIVINGSTON, Speaker

Ordered, that the Bill for Support of Government be Amended according to the Said Message.

The Bill Entituled, An Act for continuing An Act Entituled, An Act for the Encouragment of Whaling, was Read, The Second time, and Committed to the Gent. of this Board or any five of them

The Bill Entituled, An Act for the further continuing An Act Entituled, An Act for the laying a Duty on Goods Sold by Auction Vendue or Out Cry and rendring the Same more Effectual, Was Read the Second time and Committed to the Gent. of this Board or any five of them.

Coll. Depeyster Chairman of the Committee to whom was Committed the Bill Entituled, An Act for a supply to be Granted to his Majesty for supporting his Governm^t in the Province of New-York during the time therein mentioned and for repealing one Act of the General Assembly of this Province Entituled, An Act for a supply to be granted to his Majesty for supporting his Government in the Province of New York from the first Day of July which shall be in the year of our Lord one thousand seven hundred and twenty untill the first Day of July one thousand seven hundred and twenty one, Reported that they had gone through the same without any amendments.

Ordered, the said Bill be Read the third time

Then M^r Byerley withdrew.

Coll. Beekman Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Enable Garret Van Horn and Cornelius Van Horn to sell and Dispose of a certain House and ground scituate lying and being in the City of New York, Reported that they had gone through the same with the following amendments (viz^t.)

That in the last clause of the said Bill in the room of [occasion] to put [be occasioned] and instead of [accountable] in the penult Line to put [accounted]

Ordered, that Coll. Beekman do carry the said Bill to the House with the amendments made thereto and desire their Concurrence to the same.

At a Council held at Fort George in New-York, Nov^r 17th, 1720.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,
Cap^t. WALTER,
Coll. BEEKMAN,
M^r. VAN DAM,

M^r. BYERLEY,
Doctor JOHNSTON,
M^r HARRISON.

The Bill Entituled, An Act for a supply to be granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned & for repealing one Act of the General Assembly of this Province Entituled, An Act for a supply to be granted to his Matie for supporting his Governm^t in the Province of New York &c was Read the third time and agreed to without any amendments.

Ordered, that Coll. Depeyster do acquaint the House of Represent. that the Council has agreed to the said Bill without any amendments.

At a Council held at Fort George in New-York, the 18th Nov^r, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,
Cap^t. WALTER,
Coll. BEEKMAN,
M^r. VAN DAM,

M^r BYERLEY,
Doctor JOHNSTON,
M^r HARRISON.

Coll. Beekman Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Continuing An Act Entituled, An Act for the Encouragement of Whaling, Reported that they had gone through the same without any amendments.

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time.

Ordered, that Coll. Beekman do acquaint the House of Representatives that the Council has agreed to the said Bill without any amendments.

Coll. Beekman Chairman of the Committee to whom was Committed the Bill Entituled, An Act for laying a Duty on Goods sold by Auction Vendue or out cry and Rendring the same more Effectual, Reported that they had gone through the same without any amendments

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time.

Ordered, that Coll. Beekman do acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments.

Ordered, that the Bill Entituled, An Act to Enable Garrit Van Horn and Cornelius Van Horn to sell and Dispose of a certain House and Ground scituate lying and being in the City of New York be recommitted to the Gent. of this Board or any five of them.

His Excellency withdrawing, the Gentlemen of this Board Resolved themselves into a Committee.

His Excellency returning to the Council Chamber,

Coll. Beekman Chairman of the Committee to whom was recommitted the Bill Entituled, An Act to Enable Garrit Van Horn and Cornelius Van Horn to sell and Dispose of a certain House and ground scituate lying in the City of New York Reported that they had gone through the same and agreed to it with the following Amendments (viz^t.)

That in the Last fol. of the said Bill Line 7th after the words [and all] put out the word [occasion] and in lieu thereof insert the words [be occasioned] in the last Line but one put out the word [accountable] and in lieu thereof Insert the word [accounted] To which Report this Board agree

Ordered, the said Bill be Read the third time

Then the said Bill was Read the third time and past with the said Amendments.

Ordered, that Coll. Beekman do acquaint the House of Represent. that the Council has Agreed to the said Bill with the said Amendments and Desire there concurrence thereto.

At a Council held at Fort George in New-York, Nov^r 19th, 1720.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. DEPEYSTER,

Cap^t. WALTER,

Coll. BECKMAN,

M^r. VAN DAM,

M^r. BARBERIE,

M^r. BYERLEY,

Doctor JOHNSTON,

M^r. HARRISON.

A Message from the House of Representatives dated the 18th Instant by Cap^t Gerritsen acquainting this Board that the House of Representatives had agreed to the amendments made by this Board to the Bill Entituled, An Act to Enable Gerrit Van Horn and Cornelius Van Horn to sell and Dispose of a Certain House and Lott of ground in the City of New York

Ordered, the said Bill do Pass accordingly.

Ordered, the Clke of the Council do acquaint the House of Representatives that his Excellency Commands their Attendance at the Council Chamber immediately.

The Assembly accordingly attending with their Speaker, his Excellency gave his Assent to the following Acts Enacting the same and ordered them to be Enrolled. (viz^t.)

1 An Act for continuing An Act of General Assembly Entituled, An Act for the better Settling the Militia of this Province &c

2 An Act for continuing An Act of General Assembly Entituled, An Act for the further laying out Regulating and better clearing Publick Highways &c

3 An Act appointing the several Persons therein named and appointed to Let to Farme the Exeise of Strong Liquors &c

4 An Act directing and appointing the value that Lyon Dollars shall pass current for in this Province

5 An Act to Impower the Justices of the Peace in the County of West Chester to Assign a Place to build a Court House and Goal for that County.

6 An Act for reviving An Act of Gen^l Assembly Entituled, An Act for mending and keeping in Repair the Post Road from New-York to King's Bridge.

7 An Act for Prohibiting all Persons but Robert Lettis Hooper and his Assigns to Refine Sugar during the Term therein mentioned.

8 An Act for the Encouragement of Indian Trade &c

9 An Act for the continuing the Currency of Bills of Credit to the value of Six thousand ounces of Plate.

10 An Act to Enable Garrit Van Horn and Cornelius Van Horn to sell and Dispose of a certain House and ground in the City of New-York.

11 An Act to Enable Isabella Davis to sell and Dispose of four Lotts or parcells of ground in the City of New York

12 An Act for supporting his Majesties Government for five years &c.

13 An Act for Laying a duty of two P^r cent on European Goods &c.

14 An Act for continuing An Act for the Encouragment of Whaling

15 An Act for continuing An Act for Laying a Duty on Goods sold by Auction Vendue or out cry &c

Then his Excellency made the following Speech in *Hec Verba* :

Gentlemen,

The chearfullness you have Shewn in providing for a Support of Government Justly recommends you to his Majestys favour which I shall not fail to Represent.

Your care of the Frontier and to prevent a Trade so dangerous to the safety of the Province intitles you to the love of your Country Men, and your confidence in me will make me impatient to meet so good an Assembly again

Then his Excellency desired the General Assembly to adjourn themselves to the first Tuesday in March next.

[N. Y. Col. MSS., LXIII, p. 40.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of *New York, New Jersey* and Territories thereon depending in *America*, and Vice-Admiral of the same, &c.

A PROCLAMATION.

WHEREAS the General Assembly of the said Province of New-York stands adjourned to the first *Tuesday* in *March* next, I have thought fit, for his Majesty's service, further to Adjourn the said General Assembly, and I do, by Virtue of the Power and Authority unto Me granted by his Majesty under the Broad Seal of *Great Britain*, further Adjourn the said General Assembly of the said Province of New-York unto *Tuesday* the Eighteenth Day of *April* next. And I do hereby accordingly adjourn the said General Assembly unto *Tuesday* the Eighteenth Day of *April* next. Whereof all his Majesty's Subjects in the said Province are to take Notice and Govern themselves accordingly.

Given under my Hand and Seal at Arms at Fort George in New-York the 13th Day of February in the seventh year of the Reign of our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. Annoq; Domini 1720

W. BURNET.

By his Excellency's Command,
IS. BOBIN, *D. Secry.*

God save the KING.

[N. Y. Col. MSS., LXIII., 66.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of (L.S.) *Newyork Newjersey & Territories* thereon Depending in *America & Vice Admiral* of the same &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of Newyork stands adjourned to Tuesday the ninth day of May next I have thought fitt for his Majestys service by vertue of the powers

& authoritys to me given by his Majestys Letters patents under the great seal of Great Brittain further to adjourn the said General Assembly untill *Wednesday* the *tenth* day of *May* next to come and I doe hereby adjourn the said General Assembly untill *Wednesday* the tenth day of *May* next to come then to meet at Newyork, of which all his Majestys Subjects are to take notice & Govern themselves accordingly

Given under my hand and seal at arms in *Burlington* the twenty ninth day of
 Aprill in the seventh year of his Majestys Reign Annoq Domini 1721

W BURNET

By his Excellencys Command

Is. BOBIN D: Sécry

God save the KING

[N. Y. Col. MSS., LXIII., 63.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the province of Newyork
 (L s.) Newjersey and territories thereon Depending in America & Vice Admiral of the
 same &c.

A PROCLAMATION

WHEREAS the General Assembly of the province of Newyork stands adjourned to
 Wednesday the tenth day of May next I have thought fitt for his Majesty's service by vertue of
 the powers & authorities to me given by his Majesty's Letters patents under the Great Seal of
 Great Brittain further to adjourn the said General assembly untill *thursday* the Eleventh day of
May next to Come and I doe hereby adjourn the said General Assembly untill *thursday* the
Eleventh day of *May* next then to meet at Newyork, of which all his Majesty's Subjects are to
 take notice & Govern themselves accordingly.

Given under my hand & seal at arms at *Burlington* the twenty ninth day of Aprill
 in the seventh year of his Majestys Reign Annoq Domini 1721

W BURNET

By his Excellencys Command

Is. BOBIN D: Sécry

God save the KING

[N. Y. Col. MSS., LXIII., 63.]

BY HIS EXCELLENCY

WILLAM BURNET Esq^r Captain General & Governour in Chief of the provinces of Newyork
 (L.s.) Newjersey & Territories thereon Depending in America & Vice Admiral of the
 Same &c

A PROCLAMATION

WHEREAS the General Assembly of the province of Newyork stands adjourned till
 Thursday the Eleventh day of May next I have thought fitt for his Majestys service by vertue
 of the powers & authorities to me given by his Majesty's Letters patents under the Great Seal
 of Great Brittain further to adjourn the said General Assembly untill *Fryday* the *twelfth* day of

May next to come and I doe hereby adjourn the said General Assembly untill *Fryday* the twelfth day of *May* next then to meet at Newyork, of which all his Majestys Subjects are to take notice & Govern themselves accordinly

Given under my hand & seal at arms at *Burlington* the twenty ninth day of Aprile
in the seventh year of his Majestys Reign Annoq Domini 1721

W BURNET

By his Excellencys Command

Is. BOBIN D: Sécry

God save the KING

[N. Y. Col. MSS., LXIII., 61.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain Generall & Governour in Chief of the provinces of
(t. s.) Newjersey Newyork & territories thereon Depending in America & Vice Admiral of
the Same &c

WHEREAS the General Assembly of the province of Newyork stands Adjourned untill Fryday the twelfth day of May next I have thought fitt for his Majestys Service by vertue of the powers & authorities to me given by his Majestys Letters patents under the great Seal of Great Brittain further to adjourn the said General Assembly untill *Tuesday* the Sixteenth day of *May* next and I doe hereby adjourn the said General Assembly untill *Tuesday* the *Sixteenth* day of *May* next then to meet at Newyork, of which all his Majestys Subjects are to take notice & Govern themselves accordingly

Given under my hand & seal at arms at *Burlington* the twenty ninth day of Aprile
in the seventh year of his Majestys Reign Annoq Domini 1721

W BURNET

By his Excellencys Command

Is. BOBIN D. Sécry

God save the KING.

SEVENTEENTH ASSEMBLY NINTH SESSION

At a Council held at Fort George in New-York, May y^e 19th, 1721.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r BARBERIE,

M^r PHILLIPSE,
M^r HARISON.

Ordered, that the Deputy Clk^e of the Council do acquaint the House of Representatives that his Excellency requires their Immediate attendance at the Council Chamber.

The Assembly accordingly attending with their Speaker his Excellency made to them the following Speech, in these words. (viz^t)

Gentlemen.

It must always be a pleasure to meet an Assembly that have acted with so much unanimity and Dispatch in the service of the Publick and have at the same time shewn a due regard to the Government and a tender care of the Credit ease and safety of the Colony.

This Conduct makes you worthy to represent such a Flourishing People and gives me a peculiar satisfaction in finding your continuance approved at home. I shall communicate to you the Letter I have received from the Lords of Trade on that and some other matters and shall send you what Papers may serve to inform you of the present state of the Frontiers and the continued Attempts of the French against this Province. You cannot be insensible of the Dangerous consequences they will have if not timely and effectually prevented.

If you have left any part of the Publick business unfinish'd the last time you met you will now I hope perfect it, with as little expence of time as possible. I shall always give you opportunity of doing every thing you conceive for the Benefit of your Country and Joy'n heartily with you to the utmost of my Ability to promote the common good.

At a Council held at Fort George in New-York, June 9th, 1721.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r

Coll BEEKMAN,
M^r BARBERIE,
M^r PHILLIPSE,

M^r. CLARKE,
M^r. HARISON.

A Message from the House of Representatives by M^r Jansen dated the 2^d of this Instant with the Bill Entituled, An Act for Settling of Albertus Conradus Bosch (*sic*) late of the City of New-York Sword Cutler deceased and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a Second Reading.

A Message from the House of Represent. by Cap^t. Garrit Van Horn dated this 6th of this Inst. with the Bill Entituled, An Act to prevent Lotteries within the Province of New York and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading.

A Message from the House of Represent. by Coll. Rutsen dated the 8th Instant with the Bill Entituled, An Act for Regulating Fences through the several Citys and Countys within this Colony and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading.

At a Council held at Fort George in New York, the 12th of June, 1721.

PRESENT —

His Ex^{cy} WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r PHILLIPSE,
M^r HARISON.

A Message from the House of Represent. by Cap^t. Gerritse dat. y^e 10th Instant with the Bill Entituled, An Act to continue the Common Road on the Kings Highway from the Ferry towards the town of Breuckland on the Island of Nassaw in the Province of New-York and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading.

The Bill Entituled, An Act for Settling the Estate of Albertus Conradus Bosch late of the City of New York Sword Cutler deceased was Read the second time, and Committed to the Gent. of this Board or any five of them

The Bill Entituled, An Act to prevent Lotteries within Province of New York was Read the second time and Committed to the Gent of this Board or any five of them.

The Council taking into consideration a Bill depending before this Board relating to the Townships of Hurly and Marletown. It is

Ordered, that all Partys concerned be heard thereupon before this Board on Thursday next.

The Bill Entituled, An Act to continue the Common Road or the Kings Highway from the Ferry towards the Town of Breuckland on the Island of Nassaw in the Province of New York was Read the second time and Committed to the Gent. of this Board or any five of them

At a Council held at Fort George in New-York, June 15th, 1721.

PRESENT —

His Excellency W^m BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BECKMAN,
M^r. VAN DAM,

M^r. BARBERIE,
M^r. HARRISON.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Settling the Estate of Albertus Conradus Bosch late of the City of New York Sword Cutler deceased Reported, that they had gone through the same without any Amendments.

Ordered, the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any Amendments

Ordered, that Coll. Beckman do acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments.

Coll. Beckman Chairman of the Committee to whom was Committed the Bill Entituled, An Act to continue the Common Road or the Kings Highway from the Ferry Towards the Town of Breuckland on the Island of Nassaw in the Province of New-York, Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any Amendments.

Ordered, that Coll. Beckman do acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments

Then M^r Phillipse took his place.

Coll. Beckman Chairman of the Committee to whom was Committed the Bill Entituled, An Act to prevent Lotteries within the Province of New York, Reported that they had gone through the said Bill and made some Amendments thereto, which Amendments were Read and agreed to by this Board.

Ordered, the said Bill with the said Amendments be Read the third time.

Then the said Bill with the Amendments was Read the third time and agreed to by this Board.

Ordered, that Coll. Beckman do Carry to the House of Representatives the said Bill with the amendments made thereto and acquaint them that this Board has agreed to the said Bill with the said amendments to which they desire their Concurrence

Ordered, that Captain Walter, Coll. Beckman, M^r Van Dam, M^r Barberie and M^r Phillipse or any three of them be a Committee to Joyn a Committee of the House of Representatives to Examin the Treasurers Accounts.

The Bill Entituled, An Act for Regulating Fences for the several Citys and Countys within this Colony was Read the second time and Committed to the Gent. of this Board or any five of them.

At a Council held at Fort George in New-York, June 15th, 1721. P. M.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Coll BECKMAN,
M^r. VAN DAM,

M^r. BARBERIE,
M^r. PHILLIPSE,
M^r. HARRISON.

Ordered, that to morrow the Committee appointed by this Board do meet at three a Clock in the Afternoon at Coll. Depeysters House to joyn a Committee of the House of Representatives in order to examin the late Treasurers Accounts, and that the Deputy Clke of the Council do acquaint the House of Representatives therewith.

M^r Bickley Council for Marbletown and M^r. Jamisson Council for Hurly being called in and M^r. Bickley moving that the hearing might be deferred till the partys had further notice, They were ordered to withdraw, and this Board are of opinion that the partys had sufficient notice and shoud be heard immediately to the merits of the said Bill

Ordered, that they be called in; whereupon attending accordingly It is

Ordered, that the Bill relating to the Townships of Hurly and Marbletown be Committed to the Gent. of this Board or any five of them and that they meet thereupon this Day seven night

At a Council held at Fort George in New-York, June 23^d, 1721.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Coll. BEEKMAN,
M^r. VAN DAM,
M^r BARBERIE,

M^r. PHILLIPSE,
M^r. BYERLEY,
M^r. CLARKE,
M^r. HARRISON.

The Gent. of the Committee to whom was Committed the Bill relating to the Townships of Hurly and Marbletown Informed his Excellency that the surveys of each of those Respective Townships produced to them appeared obscure and differing from one another and therefore that they had not sufficient Reason to Enter into the merits of the said Bill.

Rip Van Dam Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Regulating Fences for the several Citys and Countys within this Colony, Reported that they had gone through the same without any amendments.

Ordered, the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any amendments.

A Message from the House of Represent. by Cap^t. Thomas Willet and Captain Gerritsen dated the 23^d of this Inst. with the Bill Entituled, An Act for the better clearing and further laying out Highways, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time, and

Ordered a Second Reading

At a Council held at Fort George in New-York, June 29th, 1721.

PRESENT —

His Ex^{cy} WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r BYERLEY,
M^r CLARKE,
D^r JOHNSTON,
M^r HARRISON.

The Bill Entituled, An Act for the better clearing and further laying out Highways was Read the Second time and Committed to the Gent. of this Board or any five of them.

A Message from the House of Represent^t by M^r Jansen dat. the 27th of this Inst. with the Bill Entituled, An Act to enable Susanna Parmiter to Sell and Dispose of a House and Lott of ground in the City of New York and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a Second Reading.

Then the said Bill was Read the Second time, and Committed to the Gent. of this Board or any five of them.

A Message from the House of Represent^t by M^r Hutchingson acquainting this Board that the House of Representatives had agreed to the amendments made by this Board to the Bill Entituled, An Act to prevent Lotteries within the Province of New York.

Ordered, that the Attorney General do prepare and lay before this Board A Bill for the better Regulating the Militia of this Province and in so doing that he consult with the officers of the Regiment of the Militia of the City of New-York for his better Information

Ordered, that Rip Van Dam Esq^r do acquaint the House of Representatives that the Council has agreed to the Bill Entituled, An Act for the Regulating of Fences for the Sev^l Citys and Countys within this Colony without any Amendments.

At a Council held at Fort George in New-York, July 1st, 1721.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

Doctor JOHNSTON,
M^r HARRISON.

A Message from the House of Represent. by Coll. Provoost dat. y^e 30th of June last with the Bill Entituled, An Act to Impower Gilbert Livingston to Sell and Dispose of certain Lotts of Land Scituate lying & being in the City of New York, and desiring the Concurrence of this Board thereto.

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a Second Reading

A Message from the House of Represent. by Coll. Lewis dat. the 30th of June last with the Bill Entituled, An Act for Naturalizing Johannes Van Solingen, John Ramerse, Henry Schildron, Johannes Bernard Voediren, Johannes Hanse, and desiring the Concurrence of this Board thereto

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading.

A Message from the House of Represent. by M^r Gerritsen dated y^e 1st of this Inst. with the Bill Entituled, An Act to prevent Vagrant and Idle Persons from being a Charge and expence to any the Countys, Citys, Towns, Mannors or Precincts within this Province and desiring the Concurrence of this Board thereto.

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading.

A Message from the House of Represent. by M^r Hutchinson dated the first of this Instant with the Bill Entituled, An Act for the Enabling such Person as his Excellency the Governour shall appoint to receive and collect the Dutys due and payable in the County of Suffolk by virtue of An Act of General Assembly of this Province passed in the Seventh year of his Majestys Reign Entituled, An Act for a Supply to be granted to his M^{tie} for Supporting his Government in the Province of New York during the time therein mentioned, and desiring the concurrence of this Board thereto.

Ordered, the said bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a second Reading.

The Bill Entituled, An Act to Impower Gilbert Livingston to Sell and Dispose of certain Lots of Land Scituate lying and being in the City of New York, was Read a Second time, and committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for Naturalizing Johannes Van Solingen, Joh Remerse, Henry Schliedorne, John Bernard Voeddrizen, and Johannes Hanse, was Read a Second time and committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act to prevent Vagrant and Idle Persons from being a charge and expence to any the Countys, Citys, Towns, Mannors or Precincts within this Province, was Read a Second time and committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for the Enabling such Person as his Excellency the Governour shall appoint to receive and collect the Dutys due and payable in the County of Suffolk by virtue of An Act of Gen^l Assembly of this Province passed in the Seventh year of his Majestys Reign Entituled, An Act for a Supply to be granted to his Majesty &c, was Read a Second time and committed to the Gent. of this Board or any five of them.

At a Council held at Fort George in New-York, July 6th, 1721.

PRESENT —

His Excellency WILL. BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BARBERIE,
D^r JOHNSTON,
M^r HARRISON.

Coll. Beckman Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Impower Gilbert Livingston to Sell and Dispose of certain Lots of Land Scituate Lying

and being in the City of New-York Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any Amendments

Ordered, that Coll Beekman do acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments

Francis Harrison Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act to enable such Persons as his Excellency the Gov^r shall appoint to receive and Collect the Dutys due and payable in the County of Suffolk by Virtue of An Act of Gen^l Assembly of this Province passed in the Seventh year of his Majestys Reign Entituled, An Act for a Supply to be Granted to his Majesty for supporting his Govern^t in the Province of New York during the time therein mentioned, Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any amendments.

Ordered, that Francis Harrison Esq^r do acquaint the House of Represent. that the Council has agreed to the said Bill without any amendments.

John Johnston Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act to enable Susanna Parmyter to sell and Dispose of a House and Lot of ground in the City of New York, Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any amendments.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for naturalizing Johannes Van Solingen, Johan. Remerse, Henry Schliedorn, Johan Bernard Voediren, and Johan. Hanz, Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any amendments.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act to prevent vagrant and Idle Persons from being a Charge and expence to any the Countys, Citys, Towns, manors or Precincts within this Province Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any amendments.

Ordered, that Captain Walter do acquaint the House of Representatives that the Council has agreed to the three last Bills without any amendments.

A Message from the House of Represent. by M^r Carrel Hansen dated the third of this Inst. with the Bill Entituled, An Act to oblige the Treasurer to pay for the Stockadoes provided for the Fortifications in Albany and Schenectady and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

A Message from the House of Represent. by Coll. Lewis dated the 4th of this Instant with the Bill Entituled, An Act for facilitating the Partition of Lands in Joint Tenancy or in common promoting the settling and Improving thereof and rendring the Payment of the Quit Rent due thereupon more certain and easy, and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

A Message from the House of Represent^t by Coll. Willet dated the Sixth of this Instant with the Bill Entituled, An Act for collecting and paying the arrears of Taxes for the two Expeditions to Canada, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a Second Reading.

A Message from the House of Represent^t by M^r Hutchinson dated the 6th of this Inst. with the Bill Entituled, An Act Continuing a Clause in An Act of Gen^l Assembly Entituled, An Act for the further laying out regulating and better clearing Publick Highways thro^{ut} this Colony so far as it relates to the County of Suffolk, and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading

The Attorney Gen^l according to order having prepared and laid before this Board a Bill Entituled, An Act for Settling the Militia of this Province and making of it usefull for the security and defence thereof and for repealing all former Acts relating to the same

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

At a Council held at Fort George in New-York, July 7th, 1721.

PRESENT —

His Excellency WILL. BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r HARRISON.

A Message from the House of Representatives by Captain Vanhorn dated the 5th of this Instant with the Bill Entituled, An Act for paying Ebenezer Wilson, John Van Horn, Sarah the widdow and Relict of Johannes Hardenbrook deceased, Abraham Gouverneur, Garrit Van Horn, Jacobus Kip, David Provoost and Johannes Jansen for serving in General Assembly and desiring the concurrence of this Board thereto

Ordered, the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

A Message from the House of Representatives dat. y^e 7th Inst. by Cap^t Van Horn with the Bill Entituled, An Act for the further continuing the currency of Bills of Credit to the value of six thousand ounces of Plate, for and during the time therein mentioned, and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

The Bill Entituled, An Act to oblige the Treasurer to pay for the Stockadoes Provided for the fortifications in Albany and Schenectady, was Read a Second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for facilitating the Partition of Land in Joint Tenancy or in Common promoting the Setling and Improving thereof and rendring the Payment of the Quit Rent due thereupon more certain and easy, Was Read a Second time and Committed to the Gent. of this Board or any five of them.

The Bill Ent. An Act for Collecting and paying the Arrears of Taxes for the two Expeditions to Canada, Was Read a Second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act continuing a clause in An Act of General Assembly Entituled, An Act for the further Laying out, regulating and better clearing Publick Highways thro' out this Colony so far as it relates to the County of Suffolk in this Province, Was Read a Second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for Setling the Militia of this Province and the making of it usefull for the security and defence thereof, and for repealing all former Acts relating to the same, Was Read a second time and Committed to the Gent. of this Board or any five of them.

At a Council held at Fort George in New-York, July y^e 12th, 1721.

PRESENT —

His Excellency WILL. BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r. VAN DAM,

M^r BARBERIE,
M^r CLARKE.

Ordered, that the Bill Entituled, An Act for facilitating the Partition of Lands in Joint Tenancy or in Common promoting the Setling and Improving thereof and rendring the Payment of the Quit Rent due thereupon more certain and easy, be Recommitted but the Committee not to go upon it till further direction from this Board.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for better clearing and further Laying out Highways Reported that they had gone through the said Bill and made some amendment thereto, which amendments was Read and agreed to by this Board

Ordered, that the said Bill with the said amendment be Read the third time.

Then the said Bill with the Amendment thereto was Read the third time.

Ordered, that Captain Walter do Carry to the House of Representatives the said Bill with the amendment made thereto and acquaint them that this Board has agreed to the said Bill with the said amendment to which they desire their concurrence.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Setling the Militia of this Province and making of it usefull for the security and defence thereof and for repealing all former Acts relating to the same, Reported that they had gone through the same without any amendments

Ordered, that the said Bill be Ingrossed.

Coll. Beekman Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Collecting and paying the arrears of Taxes for the two Expeditions to Canada, Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any amendments.

Ordered, that Coll Beekman do acquaint the House of Represent. that the Council has agreed to the said Bill without any amendments.

Mr Barberie Chairman of the Committee to whom was Committed the Bill Entituled, An Act continuing a Clause in An Act of General Assembly Entituled, An Act for the further laying out regulating and better clearing Publick Highways thro' out this Colony so far as it relates to the County of Suffolk in this Province, Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any amendments.

Mr Barberie Chairman of the Committee to whom was Committed the Bill Entituled, An Act to oblige the Treasurer to pay for the Stockadoes provided for the fortifications in Albany and Schenectady, Reported that they had gone through the same without any amendments

Ordered, that the Said Bill be Read the third time.

Then the Said Bill was Read the third time and past without Any Amendments

Ordered, that Mr Barberie do Acquaint the House of Represen^t that the Council has Agreed to the two Last Bills without any Amendments.

The Bill Entituled, An Act for paying Ebenezer Wilson, John Van Horn, Sarah the Widdow and Relict of Johannes Hardeubroock deceased, Abraham Gouverneur, Garrit Van Horn Jacobus Kip, David Provoost, and Johaunes Jansen, was Read the Second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for the further Continuing the Currency of Bills of Credit to the Value of Six thousand ounces of Plate for and during the time therein mentioned, Was Read a Second time and Committed to the Gent of this Board or any five of them.

At a Council held at Fort George in New - York, July y^e 13th, 1721.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
Mr VAN DAM,

Mr BARBERIE,
Mr CLARKE.

A Message from the House of Representatives dated the 11th of this Instant by Coll. Provoost with the Bill Entituled, An Act to enable the Treasurer and Tonnage Officer of this Colony for the time being to recover the Several Arrears due and payable to the former Treasurer, and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time

Then the Said Bill was read the first time and

Ordered a Second Reading.

A Message from the House of Representatives dat. y^e 11th Instant by Mr Cuyler with the Bill Entituled, An Act for the better repairing the Fortifications of the City of Albany and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered, a Second Reading.

The Memorial of Andries Coeymans a member of the General Assembly for the mannor of Ranselarswyck in the County of Albany Against passing the Said Bill was Read.

A Message from the House of Represent. dated the 11th Instant by Mr Jansen with the Bill Entituled, An Act for Encouraging the Trade and Navigation of this Province of New York, and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was read the first time and

Ordered, a Second Reading.

The Bill Entituled, An Act to enable the Treasurer and Tonnage Officer of this Colony for the time being to recover the Several Arrears due and payable to the former Treasurer, Was Read the Second time and Committed to the Gent. of this Board or any five of them.

Then Mr Harison took his place

The Bill Entituled, An Act for the better repairing the fortifications of the City of Albany, Was Read a Second time and Committed to the Gent. of this Board or any five of them.

Ordered, that the Memorial of Mr Coeyman relating to the Said Bill be Referred to the Same Committee.

The Bill Entituled, An Act for Encouraging the Trade and Navigation of this Province of New York, Was Read a Second time, and the question being put,

Whether the Said [Bill] be Committed?

It was Carryed in the negative

The question being likewise put,

Whether the Said Bill be Rejected?

It was Carryed in the Affirmative.

Ordered, that the Said Bill be Rejected.

At a Council held at Fort George in New-York, July y^e 14th, 1721.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r CLARKE,
M^r HARISON.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act to enable the Treasurer and Tonnage Officer of this Colony for the time being to recover the several arrears due and payable to the former Treasurer, Reported that they had gone through the said Bill and made some Amendments thereto, which Amendments were Read and agreed to by this Board.

Ordered, that said Bill with the said Amendments be Read the third time

Then the said Bill with the Amendments was Read the third time.

Ordered, that Cap^t Walter do carry to the House of Representatives the said Bill with the Amendments made thereto, to which this Board desires their Concurrence.

Francis Harison Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for paying Cap^t Ebenezer Wilson, Cap^t John Van Horn, Sarah the widdow and Relict of Johannes Hardenbrook deceased, Abraham Gouverneur, Garrit Van Horn, Jacobus Kip, David Provoost, and Johannes Jansen for serving in General Assembly, Reported that they had gone through the same without any Amendments

The question being put Whether the said Bill should lye for a further consideration

It was carryed in the negative

The question being likewise put Whether the said Bill be rejected

It was carryed in the affirmative.

Ordered, that the said Bill be rejected.

Coll. Beekman Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the further continuing the Currency of Bills of Credit to the value of six thousand ounces of Plate for and during the time therein mentioned, Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be read the third time.

Then the said Bill was Read the third time and past without any amendments

A Message from the House of Represent^t by M^r Jansen acquainting this Board that the House of Representatives had agreed to the Amendment made by this Board to the Bill Entituled, An Act for the better clearing and further laying out Highways.

The Bill Entituled, An Act for Setling the Militia of this Province and making of it usefull for the security and defence thereof and for repealing all former Acts relating to the same, was Read the third time and past.

Ordered, that Captain Walter do carry the said Bill to the House of Representatives for their concurrence.

A Message from the House of Representatives dat. y^e 14th Instant by Collonell Stillwell with the Bill Entituled, An Act for raising the sum of five hundred pounds for securing the Indians in his Majestys Interest and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was read the first time and

Ordered, a Second Reading

The said Bill was Read a second time and Committed to the Gent. of this Board or any five of them.

Ordered, that the Deputy Clk^e of the Council do Acquaint the House of Represent. that the Bill relating to the Partition of Lands &c^a Is recommitted and that the Committee is to meet upon the same this afternoon.

At a Council held at Fort George in New York, July y^e 20th, 1721.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. BECKMAN,
M^r BARBERIE,
M^r BYERLEY,

M^r CLARKE,
Doctor JOHNSTON,
M^r HARISON.

Francis Harison Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for raising the sum of five hundred pounds for Securing the Indians to his Majestys Interest, Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any Amendm^t

Ordered, that Francis Harison Esq^r do acquaint the House of Representatives that the Council has agreed to the said Bill without any Amendments.

The Representation of Cadwallad^r Colden Esq^r Survey^r Gen^l of the Province of New York, being Read, Is Referred to the Gent. of the Committee to whom was Recommitted the Bill relating to the Partition of Lands in Joint Tenancy.

A Message from the House of Representatives dated the 19th of this Instant by Captam Thomas Willet with the Bill Entituled, An Act for remitting and Exempting Gilbert Livingston from Paying the sum of three hundred pounds due from him for the Excise on Strong Liquors farmed by him, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was Read the first time, and

Ordered, a second Reading

Then the said Bill was Read a Second time and Committed to the Gent. of this Board or any five of them

A Message from the House of Reprsent^s by Coll. Hicks with the Bill Entituled, An Act to Impower the Justices of the Peace in Queens County to sell the Court House and Goal in the said County and Build another, and desiring the Concurrence of this Board

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered, a Second Reading.

Then the said Bill was Read the Second time and Committed to the Gent of this Board or any five of them.

At a Council held at Fort George in New York, July y^e 21st, 1721.

PRESENT —

His Excellency WILL. BURNET, Esq^r, &c^a.,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r CLARKE,
Doctor JOHNSTON,
M^r HARISON.

Coll. Beckman Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the better repairing the fortifications of the City of Albany, Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any Amendments.

Ordered, that Coll. Beckman do acquaint the house of Representatives that the Council has agreed to the said Bill without any amendments.

John Barberie Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for remitting and Exempting Gilbert Livingston from Paying the sum of three hundred pounds due from him for the Excise on Strong Liquors farmed by him. Reported that they had gone through the same without any Amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any Amendments.

Francis Harison Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Impower the Justices of the Peace in Queens County to Sell the Court House and Goals in the Said County and Build Another, Reported that they had gone through the Same without any Amendments.

Ordered, that the Said Bill be Read the third time.

Then the Said Bill was Read the third time and past without any Amendments.

Ordered, that Francis Harison Esq^r do acquaint the House of Representatives that the Council has agreed to the Said Bill without any Amendments.

Rip Van Dam Esq^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for facilitating the Partition of Lands in Joint Tenancy or in Common promoting the Selling and Improving thereof and rendring the Payment of the Quit Rents due there upon more certain and easy, Reported that they had gone through the Same with Some Amendments Which Amendm^{ts} were Read and Agreed to by this Board.

Ordered, that the Said Bill with the Said Amendments be Read the third time

Then the Said Bill with the Amendments, Was Read the third time.

Ordered, that Rip Van Dam Esq^r do Carry to the House of Represent. the Said Bill with the Amendments made thereto to which they desire their Concurrence.

A Message from the House of Representatives by Coll. Provoost Acquainting this Board that the House Cannot Agree to the Amendments made to the Bill Entituled, An Act to Enable the Treasurer and Tonnage Officer of this Colony for the time being to Recover the Several Arrears due and payable to the former Treasurer.

The question being put

Whether the Board adhere to their Amendments made to the Said Bill? It is

Resolved, that this Board do adhere to the Said Amendments.

Ordered, that Captain Walters do Acquaint the House of Representatives that this Board do adhere to their Said Amendments.

Whereas this Board Cannot find that the late Treasurer gave Any Security for the discharge of his Office. It is

Ordered, that the Deputy Clerk of the Council do wait upon the Assembly and Acquaint them that this Board desires to know whether it does appear to them, that the Said Treasurer has given Any Such Security to whom and in what Sum.

A Message from the House of Represent^{ies} dat. the 20th Instant by Mr Kip with the Bill Entituled, An Act for the Encouraging Distilling in this Colony of New York, and desiring the Concurrence of this Board.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and Rejected.

At a Council held at Fort George in New - York, July y^e 26th, 1721.

PRESENT —

His Excellency WILL^m BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r HARISON.

A Message from the House of Represent^{ies} by Coll. Hicks Acquainting this Board that the House of Representatives has agreed to the Bill Entituled, An Act for Settling the Militia of this Province, with Some amendments thereto, and desiring the Concurrence of this Board.

A Message from the House of Represent^{ies}, by Coll. Provoost desiring a free Conference on the Subject Matter of the Amendments made by this Board to the Bill Entituled, An Act to Enable the Treasurer and Tonnage Officer of this Colony, for the time being to recover the Several Arrears due to the former Treasurer Was Read

It is the opinion of this Board that a free conference cannot be agreed to till first a Conference is desired to which the reasons for it are given in Writeing, and an answer given in Writeing thereunto.

Ordered, that the Deputy Clke of the Council do carry a Copy of this minute to the House.

A Message from the House of Representatives by Coll. Provoost dated y^e 22^d of this Instant with the Bill Entituled, An Act for the more equall and Impartial assessing the Ministers and poors Tax to be raised within the City and County of New York, Queens County, West Chester County and the County of Richmond, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time, and

Ordered, a Second Reading

Then the said Bill was Read the second time, and Committed to the Gent. of this Board or any five of them.

A Message from the House of Representatives by M^r Cuyler and M^r Hansen dat. the 24th of this Inst. with the Bill Entituled, An Act for discharging the late Treasurer of this Colony Abraham Depeyster from any further demands to be made by the Governour, Council and General Assembly on account of his having been Treasurer of this Colony, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time, and referred to a further Consideration.

A Message from the House of Representatives by Captain Cuyper acquainting this Board that the House of Representatives had agreed to the amendments made by this Board to the Bill Entituled, An Act for facilitating the partition of Lands in Joint Tenancy or in Common promoting the settling and Improving thereof and rendring the payment of the Quit Rent due thereupon more certain and easy.

At a Council held at Fort George in New-York, July y^e 27th, 1721.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r CLARKE,
M^r BYERLEY,
Doctor JOHNSTON.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill Entituled, An Act for more equall and Impartial assessing the Ministers and Poors Tax to be raised within the City and County of New York, Queens County, West Chester County, and the County of Richmond, Reported that they had gone through the same without any amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any amendments.

Ordered, that Captain Walter do acquaint the house of Representatives that the Council has agreed to the said Bill without any amendments.

Ordered, that Captain Walter do acquaint the house of Representatives that the Council has agreed to the amendments made by that House to the Bill Entituled, An Act for the Settling the Militia of this Province and the making of it usefull for the security and Defence thereof and for repealing all former Acts relating to the same.

Vpon Reading the Petition of George Clarke Deputy Auditor of the Province of New York, praying that this Board will not proceed any further on the Bill Entituled, An Act for discharging the late Treasurer Coll. Abraham Depeyster from any further Demands to be made by the Governour, Council and General Assembly, on acc^t of having been Treasurer of this Colony, untill he be heard against it, and that in the mean time he may have a copy thereof.

Which said Bill having been Read the third time yesterday, and Referred to further consideration It is

Ordered, that the said Bill be not further proceeded upon Vntill the said Deputy Auditor be heard, and that in the meantime he have a Copy thereof.

At a Council held at Fort George in New-York, July y^e 27th, 1721.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r CLARKE,
M^r BYERLEY,
Doctor JOHNSTON.

Ordered, that the Deputy Clke of the Council do acquaint the House of Representatives that his Excellency commands their attendance in the Council Chamber Immediately.

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Acts. (viz^t)

1 An Act for Settling the Estate of Albertus Conradus Bosch late of the City of New York, Sword Cutler, deceased

2 An Act for Enabling such Person as his Excellency the Governour shall appoint, to receive and collect the Dutys due and payable in the County of Suffolk by virtue of An Act of General Assembly of this Province passed in the seventh year of his Majestys Reign Entituled, An Act for a supply to be granted by his Majesty for Supporting the Govern^t in the Province of New York during the time therein mentioned.

3. An Act for collecting and paying the arrears of Taxes for the two Expeditions to Canada.

4 An Act to oblige the Treasurer to pay for the Stockadoes provided for the Fortifications in Albany and Schenectady.

5 An Act continuing a clause in An Act of General Assembly Entitled, An Act for the further laying out regulating and better clearing Publick Highways thro' out this Colony so far as it relates to the County of Suffolk in this Province.

6 An Act for the further continuing the Currency of Bills of Credit to the value of Six thousand ounces of Plate for and during the time therein mentioned.

7 An Act for the better repairing the fortifications of the City of Albany.

8 An Act to Impower the Justices of the Peace in Queens County to sell the Court House and Goals in the said County and Build another.

9 An Act for remitting and Exempting Gilbert Livingston from paying the sum of three hundred pounds due from him for the Excise on Strong Liquors farmed by him.

10 An Act for raising the sum of five hundred pounds for Securing the Indians in his Majestys Interest.

11 An Act to prevent Vagrant and Idle Persons from being a charge and expence to any the Countys, Cities, Towns, Mannors or Precincts within this Province.

12 An Act to prevent Lotteries in the Province of New-York

13 An Act for the more equall and Impartiall Assessing the Minister and Poors Tax to be raised within the City and County of New-York, Queens County, West Chester County and County of Richmond.

14 An Act to Continue the Common Road or Kings highway from the Ferry towards the town of Breuckland on the Island of Nassaw in the Province of New-York.

15 An Act for regulating Fences for the several Citys and Countys within this Colony.

16 An Act for better clearing and further Laying out Highways.

17 An Act to Enable Susanna Parmyter to Sell Dispose of a House and Lott ground in the City of New York.

18 An Act to Impower Gilbert Livingston to Sell and Dispose of certain Lotts of Land Scituate Lying and being in the City of New York.

19 An Act for naturalizing Johannes Van Solingen, Johan. Remerse, Henry Schliedorn, Johan. Bernard Vodiren, and Joh. Hanse.

20 An Act for Settling the Militia of this Province, and making of it more usefull for the Security and Defence thereof and for repealing all former Acts relating to the same

Then his Excellency desired the Assembly to adjourn themselves to the first Tuesday in October next.

[N. Y. Col. MSS., LXIII., 165.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of New-York, New Jersey, and Territories thereon Depending in *America*, and Vice Admiral of the same, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of *New-York* stands Adjourned until Tuesday the seventh Day of this Instant, I have thought fit, for his Majesty's service, and by virtue of the Powers and Authorities to Me given by his Majesty's Letters Patents under the Great Seal of Great Britain, further to Adjourn the said General Assembly until *Tuesday* the *Fifth* Day of *December* next; And I do hereby accordingly Adjourn the said General Assembly until *Tuesday* the *Fifth* Day of *December* next, Of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given under my Hand and Seal at Arms at Fort George in New-York the Fourth Day of November, in the Eighth year of his Majesty's Reign, Annoq Domini 1721.

W. BURNET.

By his Excellency's Command,
Is BORN, D. Secry.

God save the KING.

[N. Y. Col. MSS., LXIV., 29.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of New-York New Jersey, and Territories thereon Depending in *America*, and Vice Admiral of the same, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of *New-York* stands Adjourned until Tuesday the Sixth Day of *February* next, I have thought fit, for his Majesty's Service, and by virtue of the Powers and Authorities to Me given by his Majesty's Letters Patents under the Great Seal of Great Britain, further to Adjourn the said General Assembly until the *Second Tuesday* in *March* next; And I do hereby accordingly Adjourn the said General Assembly until the *Second Tuesday* of *March* next, Of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given under my Hand and Seal at Arms at Fort George in New-York the 27th Day of January in the Eighth year of His Majesty's Reign, Anno; Domini, 1721.

W. BURNET.

By his Excellency's Command
Is BOBIN, *D Secry.*

God save the KING.



[N. Y. Col. MSS., LXIV., 31.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq; Captain General and Governour in Chief of the Provinces of New-York New-Jersey, and Territories thereon Depending in *America*, and Vice-Admiral of the same, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of New-York stands Adjourned until Tuesday the Thirteenth Day of *March* next I have thought fit, for his Majesty's Service, and by virtue of the Powers and Authorities to Me given by his Majesty's Letters Patents under the Great Seal of *Great Britain*, further to Adjourn the said General Assembly until the *Second Tuesday* in *Aprill* next; And I do hereby accordingly Adjourn the said General Assembly until the *Second Tuesday* of *Aprill* next, Of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given under my Hand and Seal at Arms at Fort George in New-York the Twenty Seventh Day of February in the Eighth year of His Majesty's Reign, Anno; Domini 1721.

W. BURNET.

By his Excellency's Command,
Is BOBIN, *D Secry.*

God save the KING.

[N. Y. Col. MSS., LXIV., 51.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of New-York, New-Jersey, and Territories thereon Depending in *America*, and Vice-Admiral of the same, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of *New-York* stands Adjourned until Tuesday the Tenth of this Instant, I have thought fit, for his Majest's Service, and by Virtue of the Powers and Authorities to Me given by his Majesty's Letters Patents under the Great Seal of *Great Britain*, further to Adjourn the said General Assembly until *Tuesday* the *Eighth* day of *May* next. And I do hereby accordingly Adjourn the said General Assembly until *Tuesday* the *Eighth* Day of *May* next, of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given under My Hand and Seal at Arms at Fort George in New-York this Second Day of April in Eighth Year of His Majesty's Reign, Annoq; Domini 1722

By his Excellency's Command,
Is ROBIN, D. Secry.

W. BURNET.

God save the KING.



[N. Y. Col. MSS., LXIV., 55.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of New-Jersey, New-York and Territories Depending thereon in *America*, and Vice-Admiral of the same, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of *New-York* stands Adjourned until Tuesday the Eighth Day of May next, I have thought fit, for his Majesty's Service, and by Virtue of the Powers and Authorities to Me given by his Majesty's Letters Patents under the Great Seal of *Great Britain*, to Prorogue the said General Assembly until *Tuesday* the *Twenty Ninth* Day of *May* next. And I do hereby accordingly Prorogue the said General Assembly until *Tuesday* the *Twenty Ninth* Day of *May* next, Then to meet at the City of New-York, Of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given Under My Hand and Seal at Fort George in New-York the Thirtieth Day of April, in the Eighth Year of his Majesty's Reign, Annoq; Domini 1722

By his Excellency's Command,
Is. ROBINS, D. Secry.

W. BURNET.

God save the KING.

SEVENTEENTH ASSEMBLY TENTH SESSION.

At a Council held at Fort George in New-York, May the 30th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r CLARKE,
M^r HARRISON,
Doctor COLDEN,
M^r MORRIS Jun^r.

Ordered, that the Deputy Cl. of the Council do acquaint the House of Representatives that his Excellency requires their attendance at the Council Chamber precisely at the hour of twelve.

The Assembly accordingly attending with their Speaker his Excellency made to them the following speech in these words. (*viz*.)

Gentlemen,

I have so much reason to expect your ready concurrence in every thing which is requisite for the Publick Service, that I meet you with a cheerfull confidence, and an Entire Dependence on your making Effectual all your former Resolutions to that End, and your coming to such new ones as will enable me to carry on those measures on the Frontier of this Province which I have begun with some success, and which are of the greatest moment for your security.

I have now for a long time waited for the Confirmation of your Act for laying two ^q cent on European Goods, But Cannot avoid telling you not only that it is not Confirmed but by my best advices it never will, and the reason Is not hard to guess When the Legislature at home have passed a Law to give a premium upon the Exportation of the British Manufactures It is scarce to be Expected that the Crown will consent to a duty on those very Manufactures when Imported into the Plantations. As you were Convinced of the Necessity of passing this Act formerly I can have no Doubt of your readiness to find other ways to provide for the Same purposes in a Manner that will prove real. There is another expectation from the Act of the Support of Government which you will find has not Answered, and that is the Sinking of a large Sum of Bills of Credit out of it, which is So far from being possible that the Revenue will not even Answer when this Load shall be taken off.

I Depend therefore upon your Care to provide Another way to Sink those paper Bills. I must take this occasion to recommend it to you to Enquire how Publick Moneys have been Managed since your last meeting, and whether due care has been taken to recover all the Arrears due to the Publick and to apply them according to Law, and whether due obedience has yet been paid to my orders given in Council to promote that Service.

I Doubt not but you will pay a due deference to his Majestys Commands to me to take Care that the Revenue be accounted For to his Majestys proper officer of which I will Send you a Copy, as likewise will of the manner in which the Small Sum given last year for the Service of the Frontier has been Disposed of, that you may See the frugality with which it has been managed

The Same frugality shall be observed in the application of whatever Sum shall be now given for the like Services, and for the Erecting and Maintaing a Magazine for Powder, of which you all know the necessity for the Safety of this flourishing City.

Gentlemen,

I hope a Sincere and disinterested love of our Country will be our Rule in all our proceedings, That all private views and indirect measures be discountenanced, and particularly that in your providing for the pressing occasions of the Publick you will turn your thoughts in Such manner as will best Suit the ease and General Inclination of the People, and tend to Encourage the Industry and multiply the number of the Inhabitants of this Province. I shall readily Join as far as I am able in any Laws which you can think for the benefit of this Colony, and Shall always have the greater Satisfaction in my own mind, and think I do the most acceptable Service to my Sovereign when I promote the happiness of the People.

At a Council held at Fort George in New-York, June y^e 14th, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. BEEKMAN,
M^r BARBERIE,
M^r BYERLEY,
M^r CLARKE,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS Jun^r.

A Message from the House of Representatives by Coll. Provoost dated the 11th Instant with the Bill Entituled, An Act for making more Effectual An Act Entituled, An Act for a Supply to be granted to his Majesty for Supporting his Government in the Province of New-York during the time therein mentioned and for repealing One Act of the General Assembly of this Province Entituled, An Act for a Supply to be Granted to his Majesty for Supporting his Government in the Province of New York from the first day of July which shall be in the year of Our Lord 1720 to the first day of July 1721 and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time, and

Ordered a Second Reading.

At a Council held at Fort George in New-York, June y^e 16th, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r

The Bill Entituled, An Act for making more Effectual An Act Entituled, An Act for a supply to be Granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned and for Repealing one Act of the General Assembly of this Province Entituled, An Act for a supply to be Granted to his Majesty for supporting his Government in the Province of New York from the first day of July which shall be in the year of our Lord 1720 to the 1st of July 1721, Was Read the second time and Committed to the Gent. of this Board or any five of them.

At a Council held at Fort George in New York, June y^e 21st, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor COLDEN,
M^r ALEXANDER.

A Message from the House of Represent. dat. the 18th Instant with the Bill Entituled, An Act for Erecting, building and maintaining a Magazine for the Holding of Gun Powder In the City of New York for Publick use and for Providing for the maintenance of a Storekeeper (*sic*) for the Turning and keeping of the same, and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time, and

Ordered, a second Reading.

At a Council held at Fort George in New-York, June y^e 22^d, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor COLDEN,
M^r ALEXANDER.

The Bill Entituled, An Act for Erecting, Building and maintaining a Magazine for the holding of Gun Powder in the City of New York For Publick use and for providing for the maintenance of a Storekeeper for the turning and keeping of the same. Was Read the second time, And

The question being put,
Whether the same be rejected?
It was carryed in the negative,
Then the question was put
Whether the same be rejected
It was carryed in the affirmative.

Ordered, that M^r Barberie do acquaint the House of Representatives that this Board has rejected the said Bill

M^r Barberie Chairman of the Committee to whom was referred the Bill Entitled, An Act for making more Effectual An Act Entitled, An Act for a supply to be Granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned and for repealing one Act of the General Assembly of this Province Entitled, An Act for a supply to be granted to his Majesty for supporting his Government in the Province of New York from the first day of July which shall be in the year of our Lord 1720. to the first day of July 1721. acquainted this Board that the Committee had considered of the same and was ready to make their report when this Board would please to receive the same.

Ordered, that the said report be made immediately.

Then the said M^r Barberie in his place reported that the said Committee had gone through the said Bill and agreed to the same without Amendment.

Ordered, that the said Bill be Read the third time

Then the said Bill was read the third time.

Ordered, that the said Bill do pass without Amendment.

Ordered, that M^r Barberie do acquaint the House of Represent. that this Board has past the said Bill without Amendment.

A Message from the House of Represent. by Coll. Hicks acquainting this Board that the House of Representatives had past a Bill Entitled, An Act for reviving An Act of General Assembly Intituled, An Act to prevent Damages by Swine in the County of West Chester, Queens County, and the County of Richmond, and including King County and Orange County in the same manner.

Ordered, that the said Bill be Read the first time.

Then the said Bill was read the first time and

Ordered, a second reading.

Ordered, that the Deputy Cl. of the Council do acquaint the House of Representatives that his Excellency requires their Attendance at the Council Chamber immediately.

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Act (viz^t)

An Act for making more Effectual An Act Entitled, An Act for a supply to be granted to his Majesty for supporting his Government in the Province of New York during the time therein mentioned and for repealing one Act of the General Assembly of this Province Entitled, An Act for a supply to be Granted to his Majesty for supporting his Governm^t in the Province of New York from the first Day of July which shall be in the year 1720. to the first Day of July 1721

A Message from the House of Representatives by Coll. Provoost acquainting this Board that the House of Representatives had past a Bill Entitled, An Act Appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys of this Colony, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time, and

Ordered a Second Reading.

At a Council held at Fort George in New York, June y^e 26th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r ALEXANDER.

The Bill Entitled, An Act Appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony Was Read the second time and Committed to the Gent. of this Board or any five of them

The Bill Entitled, An Act of Gen^l Assembly Entitled, An Act to prevent Damages by Swine in the Countys of West Chester, Queens County and the County of Richmond and for including Kings County and Orange County in the same manner, was Read the second time, and Committed to the Gent. of this Board or any five of them.

At a Council held at Fort George in New-York, June y^e 28th, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor GOLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r

M^r Van Dam Chairman of the Committee to whom was Committed the Bill Entituled, An Act to prevent Damages by Swine in the County of West Chester, Queens County and the County of Richmond and for including Kings County and Orange County in the same manner, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then M^r Van Dam in his place reported that the said Committee had gone through the said Bill and made the following amendment thereto. (Viz^d) at the End of the Bill insert this clause. Provided always that this Act do extend only to that part of the County of Orange which Lyes to the Southward of the High Lands in the said County of Orange anything in this Act before contained to the contrary notwithstanding.

Which being Read was approved of by this Board

Ordered, that the said Bill be Read the third time as amended.

Then the said Bill was Read the third time as amended.

Ordered, that the said Bill do pass as amended.

Ordered, that M^r Van Dam do acquaint the House of Representatives that this Board has past the said Bill with one amendment, and that he do carry the said Bill to the House of Representatives, and desire their concurrence to the same.

A Message from the House of Representatives by M^r Hutchinson acquainting this Board that the House of Representatives had past a Bill Entituled, An Act continuing a Clause in An Act of General Assembly Entituled, An Act for the further regulating and better clearing Publick Highways throughout this Colony so far as it relates to the County of Suffolk and desiring the concurrence of this Board thereto.

Ordered, that the said Bill by Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

A Message from the House of Represent. by Coll Provoost with the Bill Entituled, An Act for paying Garrit Van Horn, Jacobus Kip, David Provoost and Johannes Jansen Esq^{rs} for Serving in General Assembly and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

A Message from the House of Representatives by Coll. Rutsen with the Bill Entituled, An Act of the General Assembly of this Colony for Settling the boundaries between the Lands Granted by Patent unto Cornelius Cool, Adrian Gerritse, Mathias Ten Eyck, Jacobus Dubois, Johannes Schipmoes, Roelif Swartwout, Cornelius Rammerse, Peter Peterse, Lawrence Osterhout, and Jannetie Newkerk Scituate Lying and being in the County of Ulster commonly called the Town of Hurly and the Lands Granted by Patent unto Coll Henry Beckman, Cap^t Thomas Garton and Captain Charles Broadhead, Trustees for and on the behalf of the Inhabitants of the Town of Marletown in the County of Ulster aforesaid made in the fourth year of his Majestys Reign. and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

A Message from the House of Representatives by M^r Cuyler with the Bill Entitled, An Act for the payment of the Representatives of the City and County of Albany, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was read the first time, and

Ordered a second Reading.

At a Council held at Fort George in New-York, July y^e 3^d, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Mr VAN DAM,
Mr BARBERIE,
Doctor COLDEN,

Mr ALEXANDER,
Mr MORRIS Jun^r.

A Message from the House of Represent. by Coll. Gausbeek Chambers with the Bill Entituled, An Act for the better settling and ascertaining the South bounds and Limits of the County of Albany on the West side of Hudsons River and the north bounds of the County of Ulster on the West side of Hudsons River, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was read the first time, and

Ordered, a second reading

Then the said Bill was Read the second time and Committed to the Gent. of this Board or any five of them.

A Message from the House of Representatives by Coll. William Willet with the Bill Entituled, An Act for continuing the Currency of Bills of Credit to the Value of three thousand ounces of Plate till the first Day of July which Will be in they year one thousand seven hundred and twenty four, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time, and

Ordered, a second Reading

Then the said Bill was Read the second time and committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act of the General Assembly of this Colony Entituled, An Act for the settling the boundaries between the Lands Granted by Patent unto Cornelius Cool, Adrian Gerritse, Mathias Ten Eyck, Jacobus Dubois, Johannis Schipmoes, Roelif Swartwout, Cornelius Lamerse, Peter Peterse, Lawrence Oysterhout and Jannetie Newkirk scituate Lying and being in the County of Ulster commonly called the Town of Hurly, and the Lands Granted by Patent unto Coll Henry Beekman, Cap^t Thomas Garton and Captain Charles Broadhead Trustees for and on the behalf of the Inhabitants of the Town of Marbletown in the County of Ulster aforesaid made in the fourth year of his Majestys Reign, was Read the second time.

The Bill Entituled, An Act for the Payment of the Representatives of the City and County of Albany. Was Read the second time and committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act for paying Gerrit Van Horn, Jacobus Kip, David Provoost, and Johannes Jansen Esq^s for serving in General Assembly Was Read the second time and committed to the Gent. of this Board or any five of them,

The Bill Entituled, An Act Continuing a Clause in An Act of General Assembly Entituled, An Act for the further regulating and better clearing Publick Highways thro' out this Colony so far as it Relates to the County of Suffolk in this Province, Was Read the second time and committed to the Gent. of this Board or any five of them.

A Message from the House of Representatives by Cap^t Cuyper acquainting this Board that the House of Representatives had agreed to the amendments made by this Board to the Bill Entituled An Act for reviving An Act of General Assembly Entituled, An Act to prevent Damages by Swine in the County of West Chester, Queens County and the County of Richmond and for including Kings County and Orange County in the same manner.

His Excellency withdrawing The Gent of the Council Resolved into a Committee.

His Excellency Returning to the Council Chamber.

Mr Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for continuing the Currency of Bills of Credit to the Value of Three thousand ounces of Plate till the first Day of July which will be in the year one thousand seven hundred and twenty four, acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report he made immediately.

Then the said Mr Morris Jun^r in his place, Reported that the said Committee had gone through the said Bill and agreed to the same without amendment.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time

Ordered, that the said Bill do pass without amendment.

Ordered, that Mr Morris Jun^r do acquaint the House of Representatives that this Board has past the said Bill without amendment.

At a Council held at Fort George in New-York, July y^e 5th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

Ordered, that the Bill Entituled, An Act for Explaining An Act of the General Assembly of this Colony Entituled, An Act for Settling the boundaries between the Towns of Hurly and Marbletown &c^a do Lye on the Table together with the Petition of Adrian Gerritse.

Ordered, likewise that the Petitions of Charles Broadhead and others, and the Petition of Cornel Elting relating to the said Bill do also Lye on the Table.

M^r Alexander Chairman of the Committee to whom was Committed the Bill Entituled, An Act continuing a clause in An Act of General Assembly Entituled, An Act for the further regulating and better clearing Publick Highways thro' out this Colony so far as it relates to the County of Suffolk in this Province, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then the said M^r Alexander in his place reported that the said Committee had gone through the said Bill and agreed to the same without amendment.

Ordered, that the said Bill be read the third time.

Then the said Bill was Read the third time.

Ordered, that the said Bill do pass without amendment.

Ordered, that M^r Alexander do acquaint the House of Representatives that this Board has past the said Bill without amendment.

At a Council held at Fort George in New York, July y^e 6th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll. BECKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

A Message from the House of Represen^t by Coll. Morris with the Bill Entituled, An Act for the further and more Effectual Prohibiting the Selling Indian Goods to the French, And desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading.

Then the said Bill was Read the second time, and Committed to the Gent. of this Board or any five of them, and

Ordered, that the said Committee do prepare a clause in the said Bill to continue An Act Entituled, An Act for the Encouragement of the Indian Trade, and rendering it more beneficial to the Inhabitants of this Province and for Prohibiting the Selling of Indian Goods to the French Till the 9th of November seventeen hundred and twenty three, and from thence to the End of the next Session of the General Assembly that shall be thereafter.

The Petition of Johannes Cuyler and Hend^k Hansen Esq^{rs} in behalf of the Justices of the Peace for the City and County of Albany, praying that the Bill Entituled, An Act for the better settling and ascertaining the south bounds and Limits of the County of Albany on the Westside of Hudsons River and the north bounds of the County of Ulster on the West side of Hudsons River, May not pass till the said Justices be heard against the same, Being Read.

Ordered, that the said Petition be referred to the Gent. of the Council or any five of them to whom the said Bill is committed.

His Excellency withdrawing, the Gent. of the Council Resolved into a Committee.

His Excellency returning to the Council Chamber

M^r Morris Jun^r Chairman of the Committee to whom was Committed The Bill Entituled, An Act for the further and more Effectual Prohibiting The Selling Indian Goods to the French acquainted this Board that the Committee had considered of the same and was ready to make their Report, when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then the said M^r Morris Jun^r in his place Reported, that the said Committee had gone through the said Bill and agreed to the same with the following Amendments (viz^y) fol. 5th Line the 1st

between the word [applied] and the word [as] Insert these words [two thirds thereof] fol. 5th Line y^e 1st between the word [And] and the word [shall] insert these words [The other third thereof to such Person or Persons as shall inform and sue for the same by Bill Plaint or Information wherein there shall be no Essoine protection or Wager of Law or any more than one Imparlance, and the Person convicted] fol. 6th Line y^e 10th after the word [Pounds] leave out the word [aforesaid] and insert these words [To be applied two thirds thereof for Building and Repairing The said Fortifications the other third to such Person or Persons as shall Inform and sue for the same, by Bill Plaint or Information, wherein there shall be no Essoine protection or Wager of Law or any more than one Imparlance]

fol. 7th Line the 16th after the word [is] and before the words [before directed] insert the word [first]

fol. 11th Line the 3^d after the word [herein] and before the words [before directed] insert the word [first]

fol. 11th Line the 18th after the word [applied] leave out to the End of that line, and in lieu thereof insert these words [Two thirds thereof for building and repairing the Said Fortifications, the other third thereof to Such Person or Persons as shall Inform and Sue for the Same by Bill, Plaint or Information wherein there shall be no Essoine protection or Wager of Law or any more than one Imparlance]

Before the Penult Line of the 11th Page insert this Clause: And be it Enacted by the Authority aforesaid, That it is meant and intended that So much of the Forfeitures in this Act mentioned to be applied towards Building and repairing Fortifications are to his Majesty his heirs and Successors to be applied as particularly above directed, and the residue of the Forfeitures in this Act mentioned to the Informer.

At the End of the Bill insert this clause: And be it Enacted by the Authority aforesaid That the before mentioned Act Entituled, An Act for the Encouragement of the Indian Trade and rendering it more beneficial to the Inhabitants of this Province and for Prohibiting the Selling of Indian Goods to the French, Shall be and Continue in Force during the Continuance of this Present Act and no longer.

Ordered, that the Said Bill with the amendments be Read the third time.

Then the Said Bill was Read the third time with the Amendments

Ordered, that the Said Bill do pass as Amended.

Ordered, that M^r Morris Jun^r do Acquaint the House of Representatives that this Board has past the Said Bill with Some Amendments, and that he Carry the Said Bill to the House of Representatives with the Amendments made thereto and desire their Concurrence to the Same

At a Council held at Fort George in New-York, July y^e 7th, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a.

Cap^t WALTER,
Coll BEEKMAN,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

A Message from the House of Represent^t by Cap^t Jansen with the Bill Entituled, An Act for the more Speedy and Effectual recovery of arrears due and payable for Dutys laid within this Colony and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time, and

Ordered a Second Reading.

Then the Said Bill was Read the second time and Committed to the Gent. of this Board or any five of them.

A Message from the House of Representatives by Coll Provoost acquainting this Board that the House of Represent^t had agreed to the Amendments made by this Board to the Bill Entituled, An Act for the further and more Effectual Prohibiting the Selling Indian Goods to the French.

His Excellency withdrawing, The Council Resolved into a Committee.

His Excellency Returning to the Council Chamber.

M^r Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the more speedy and Effectual recovery of arrears due and payable for Dutys laid within this Colony acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would be pleased to receive the same.

Ordered, that the said Report be made immediately.

Then the said M^r Morris Jun^r in his place reported that the said Committee had gone through the said Bill and agreed to the same with the following amendments Viz^t

fol. 2^d Line 13th after the word [Colony] leave out all to the End of the fourteenth Line and in lieu thereof Insert the words [before the Publication hereof]

fol. 3^d Line 8th after the word [Treasurer] leave out all unto the word [For] in the 9th Line and in lieu thereof insert the words [before the Publication hereof]

The last line of the Bill instead of the word [six] insert the word [three]

Ordered, that the said Bill with the amendments be Read the third time.

Then the said Bill was Read the third time with the amendments

Ordered, that the said Bill do pass as amended.

Ordered, that M^r Morris Jun^r do acquaint the House of Representatives that this Board has past the said Bill with some amendments and that he carry the said Bill to the House of Representatives with the amendments made thereto, and desire their concurrence to the same.

At a Council held at Fort George in New-York, July 7th, 1722.

Post Meridiem.

P^RSENTIBUS —

Eisdem

A Message from the House of Representatives by M^r Hutchinson acquainting this Board that the House of Representatives had agreed to the amendments made by this Board to the Bill Entituled, An Act for the more speedy and Effectual recovery of arrears due and payable for Dutys laid within this Colony.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives, that his Excellency requires their attendance at the Council Chamber immediately.

The Assembly accordingly attending with their Speaker his Excellency gave his assent to the following acts (viz^t)

1 An Act for continuing the Currency of Bills of Credit to the value of three thousand ounces of Plate till the first Day of July which will be in the year of our Lord 1720 to the first Day of July which will be in the year of Lord 1724

2 An Act continuing a clause in An Act of General Assembly Entituled, An Act for the further Laying out, Regulating and Clearing Publick Highways throughout this Colony, so far as it relates to the County of Suffolk in this Province.

3 An Act Reviving An Act of General Assembly Entituled, An Act to prevent Damages by Swine in the County of West Chester, Queens County and the County of Richmond and for including Kings County and Orange County in the same manner.

4 An Act for the more Speedy and Effectual recovery of Arrears due and payable for Dutys laid within this Colony.

5 An Act for the further and more Effectual Prohibiting the Selling Indian Goods to the French.

Then his Excellency desired the Assembly to adjourn themselves to the last Tuesday in September next.

[N. Y. Col. MSS., LXIV., 133.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Cap^t Generall and Governour in Chief of the Provinces of New-York, New Jersey and Territories thereon Depending in *America*, And Vice Admirall of the same, &c.

A PROCLAMATION

WHEREAS the Gen^l Assembly of the Province of *New York* stands Adjourned untill Wednesday the Twenty sixth of this Instant I have thought fit for his Majestys Service and by virtue of the powers and authoritys to me Given by his Majestys Letters Patents under the Great Seal of Great Brittain further to Adjourn the said Generall Assembly untill *Thursday* the *Twenty Seventh* of this Instant and I doe hereby accordingly Adjourn the said Generall

Assembly untill *Thursday* the *Twenty Seventh* of this Instant of which all his Majestys Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and Seal at fort George in *New York* the *Twenty fifth* day of *September* in the ninth year of his Majestys Reign Annoq Domi 1722.

W. BURNET.

By his Excellencys Command
Is. BOBIN D. Sécry

God save the KING.

[N. Y. Col. MSS, L.XIV., 138.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of New-
(L. S.) York, New Jersey and Territories thereon Depending in *America* and Vice Admiral of the same &c.

A PROCLAMATION

WIEREAS the General Assembly of this Province stands adjourned to this Day I have thought fit for his Majestys Service and by virtue of the Powers and Authoritys to Me given by his Majestys Letters Patents under the Great Seal of Great Britain further to adjourn the said General Assembly untill *Monday* The *first* Day of *October* next, and I do hereby accordingly adjourn the said General Assembly untill *Monday* the *first* Day of *October* next of which all his Majestys Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and Seal at Fort George in *New York* this *twenty Eighth* Day of *September* in the Ninth year of his Majestys Reign Annoq Domini 1722.

W. BURNET

By His Excellency's Command
Is BOBIN D Sécry

God save the KING.

SEVENTEENTH ASSEMBLY ELEVENTH SESSION.

At a Council held at Fort George in New York, October 3^d, 1722.

PRESENT— His Excellency WILLIAM BURNET, Esq^r, &c.^a,

Cap^t WALTER,
Coll. BECKMAN,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

Lewis Morris Jun^r Esq^r Chairman of the Committee to whom was Committed the Bill Entitled, An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony, acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately

Then the Said Mr Morris Junr in his place Reported that the Said Committee had gone through the Said Bill and Agreed to the Same with the following Amendments Viz^t

Page the 1st Line y^e 19th between the Word [for] and the word [next] in lieu of the words [four years] insert the Words [one year]

Page the 2^d Line y^e 2^d after the word [twenty] and before the word [two] leave out the word [Six] and insert the word [Three]

Page y^e 2^d Line y^e 6th after the word [Suffolk] leave out the words [Epeneitus Platt Esqr] and insert the words [Selah Strong Gent]

Page y^e 2^d Line y^e 8th after the word [County] Leave out the words [Collonell Richard Stillwell] and insert the words [Major Jacobus Breckman]

Page the 2^d Line the 13th leave out the words [Mr John Allsup] and insert the words [Captain Christopher Denn]

Ordered, that the Said Bill with the Amendments be Read the third time.

Then the Said Bill was Read the third time with the Amendments

Ordered, that the Said Bill do pass as amended.

Ordered, that Mr Morris Junr do Acquaint the House of Representatives that this Board has past the Said Bill with Some Amendments and that he Carry the Said Bill to the House of Representatives with the Amendments made thereto and desire their Concurrence to the Same

At a Council held at Fort George in New York, Octobr y^e 10th, 1722.

PRESENT — *His Excellency WILLIAM BURNET, Esqr, &c.,*

Coll. BEEKMAN,
Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Junr.

A Message from the House of Representatives by Mr Laekerman Acquainting this Board that the House of Representatives had Agreed to the Amendments made by this Board to the Bill Entitled, An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony.

At a Council held at Fort-George in Newyork, Octobr y^e 17th, 1722.

PRESENT — *His Excellency WILLIAM BURNET, Esqr, &c.,*

Coll BEEKMAN,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Junr.

Mr Morris Junr Chairman of the Committee to whom was Committed the Bill Entitled, An Act for paying Gerrit Van horn, Jacobus Kip, David Provoost, and Johannes Jansen Esq^{rs} for Serving in General Assembly Acquainted this Board that the Committee had Considered of the Same, and was ready to make their Report when this Board would please to receive the Same.

Ordered, that the said Report be made immediately.

Then the said Mr Morris Junr in his place reported that the said Committee had gone through the said Bill and agreed to the same with the following Amendment. viz^t

Page the 1st Line y^e 6th after the word [York] leave out the words [for which they] and insert the word [And] and after the word [Reward] in the same Line insert the words [for a considerable part of the time in which they have served] Page y^e 1st Line the 9th after the word [In] leave out to the End of the Line and in lieu thereof insert the word [Jannary] Page y^e 1st Line y^e 15th after the word [service] and before the word [And] insert these words [Provided the Days wages of the said members do not Exceed the sum of two hundred and Eighty seven pounds Eight Shillings]

Page y^e 2^d Line y^e 6th after the word [first] leave out to the End of the Line and in lieu thereof insert the words [Tuesday in March]

Ordered, that the said Bill with the Amendments be Read the third time.

Then the said Bill was Read the third time with the Amendments

Ordered, that the said Bill do pass as amended.

Ordered, that Mr Morris Junr do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill to the House of Representatives with the Amendments made thereto and desire their concurrence to the same.

Mr Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the Payment of the Representatives of the City and County of Albany acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then the said Mr Morris Jun^r in his place reported that the said Committee had gone through the said Bill and agreed to the same without Amendments

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without Amendments.

Ordered, that Mr Morris Jun^r do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

A Message from the Assembly by Coll Rutsen with the Bill Entituled, An Act for raising the sum of five hundred pounds to Encourage and Promote a Trade with the remote Nations of Indians and for securing the five Nations in his Majestys Interest, as also the sum of three hundred Twenty pounds three shillings and two pence farthing advanced by the several persons therein named for repairing the fortifications on the frontier and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time.

Ordered, that the said Bill be Read the second time.

Then the said Bill was Read the second time and Committed to the Gent. of this Board or any five of them who are hereby Impowered to send for Persons and Papers.

Mr Morris Jun^r Administrator of Augustine Graham Esq^r deceased moved this Board for Liberty to bring in a Bill, for the Selling and disposing of some Lands, for paying the said Graham's Debts.

Ordered, that the said Mr Morris do bring in a Bill accordingly.

Ordered, that Mr Robin the Deputy Clerk of the Council do acquaint the House of Representatives that Mr Morris Jun^r is appointed by this Board to Examine and Compare the Acts of this Province past the first and second Sessions of the Assembly since his Excellencys arrival with the Enrollment thereof and to desire that House to appoint some of their members to assist therein.

At a Council held at Fort George in New-York, Octobr^r 18th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Coll. BEEKMAN,
Mr BARBERIE,
Doctor COLDEN,

Mr ALEXANDER,
Mr MORRIS, Jun^r.

A Message from the House by Mr Hendrick Hansen with the Bill Entituled, An Act to Enable Trustees therein named to take sell and dispose of certain Lots of Land the Estate of Gilbert Livingston in the City of New York, for the payment of a certain Bond given and debt due to his Majesty on the said Gilbert Livingston his Contract for the farming the Excise of this province, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second reading

At a Council held at Fort George in New York, Octobr^r 18th, 1723. (Sic.)

Post Meridiem.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Coll. BEEKMAN,
Mr BARBERIE,
Mr HARISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Jun^r.

Mr Harison Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the raising the sum of five hundred Pounds to Encourage and promote a Trade with the remote Nations of Indians and for securing the five Nations in his Majestys Interest as also the sum of Three hundred twenty pounds three shillings and two pence farthing advanced by the

several Persons therein named for repairing the Fortifications on the Frontiers, acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same

Ordered, that the Said Report be made immediately

Then Mr Harison in his place Reported that the Said Committee had gone through the Said Bill without Any Amendments.

Ordered, that the Said Bill be Read the third time

Then the Said Bill was Read the third time and past without Amendments.

Ordered, that Mr Harison do Acquaint the House of Representatives that this Board has past the Said Bill without any Amendments.

Mr Barberie Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the better Setling and Ascertainning the South bounds and Limits of the County of Albany on the West Side of Hudsons River, And the North bounds of the County of Ulster on the West Side of Hudsons River Acquainted this Board that the Committee had Considered of the Same and was ready to make their Report when this Board would please to receive the Same.

Ordered, that the Said Report be made immediately.

Then Mr Barberie in his place Reported that the Said Committee had gone through the Said Bill and made the following Amendments thereto Viz^t

Page The 2^d Line the 1st after the word [The] and before the word [Line] of the Same Page leave out the words [South Side of Wanton's Island and thence on a due West North West] and in lieu thereof insert these words [The Mouth of Sawyers Creek and thence on a West]

The Same Page Line y^e 4th after the Word [The] and before the word [Line] leave out the words [The South Side of Wanton's Island and then a due West North West] and in lieu thereof insert these words [The Mouth of Sawyers Creek and thence on a West]

Ordered, the Said Bill with the Amendments be Read the third time

Then the Said Bill with the Amendments was Read the third time

Ordered, that the Said Bill do pass As Amended.

Ordered, that Mr Barberie do acquaint the House of Representatives that this Board has past the Said Bill with Some Amendments, And that he Carry the Said Bill to the House of Representatives with the Amendments made thereto and desire their Concurrence to the Same.

Mr Morris Jun^r According to Order brought in a Bill Entituled, An Act to Enable Lewis Morris Jun^r Administrator to Augustine Graham late of the City of New York to dispose of part of the Lands and Tenements formerly belonging to the Said Augustine Graham for payment of his Debts and Educating his Children.

Which Bill was received.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered a Second Reading.

At a Council held at Fort George in New York, Octobr y^e 23^d, 1722.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,

Mr HARISON,

Doctor GOLDEN,

Mr ALEXANDER,

Mr MORRIS Jun^r.

A Message from the House of Representatives by Alderman Kip Acquainting this Board that that House do Agree to the Amendments made by this Board to the Bill Entituled, An Act for paying Garret Vanhorn, Jacobus Kip, David Provoost and Johannes Jansen Esq^{rs} for Serving in General Assembly

The Bill Entituled, An Act to Enable Trustees therein named to Sell and dispose of Certain Lots of Land the Estate of Gilbert Livingston in the City of New York, for the payment of a certain Bond Given and debt Due to his Majesty on the Said Gilbert Livingston His Contract for the Farming the Excise was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act to Enable Lewis Morris Jun^r Esq^r Administrator of Augustine Graham late of the City of New York to dispose of part of the Lands and Tenements formerly belonging to the Said Augustine Graham for payment of his Debts and Educating his Children Was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

A Message from the House of Representatives by Coll. William Willet with the Bill Entituled, An Act for raising the quantity of Three Thousand ounces of Plate for the Effectual sinking and Canceling Bills of Credit to that value and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a second Reading.

A Message from the House of Representatives by Coll. Stillwell with the Bill Entituled, An Act for the better Enabling Job Dusochany Eldest son and heir of Mark Dusochany late of the County of Richmond yeoman deceased and other the children of the said Mark Dusochany to Sell sundry peices and parcells of Land given and Devised to them respectively in and by the Last Will and Testament of their said Testator in order to pay off and Discharge the Incumbrances thereupon and other the Debts of their said Testator yet remaining unsatisfyed, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

Vpon Reading the Petition of Arien Gerritsen in behalf of himself and other the Trustees of the Town of Hurly seting forth that some time ago a Bill was past in the Assembly for Explaining An Act of the General Assembly concerning the Division Line betwixt The Towns of Hurly and Marbletown and that the same was ordered by this Board to Lye on the Table and praying this Board to proceed upon the said Bill.

Ordered, that the said Bill be Committed to the Gentlemen of this Board or any five of them, and that all partys have notice perimptorily to attend the said Committee, and to be heard to the merits of the said Bill, The second Tuesday after the next time the Assembly shall meet and set to do business.

At a Council held at Fort George in New York, Octobr y^e 24th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Coll. BEEKMAN,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS Jun^r.

Doctor Colden Chairman of the Committee to whom was Committed, The Bill Entituled, An Act to Enable Trustees therein named to take sell and dispose of certain Lots of Land the Estate of Gilbert Livingston in the City of New York for the payment of certain Bond given and Debt due to his Majesty on the said Gilbert Livingston his Contract for the farming the Excise, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediatly.

Then Doctor Colden in his place Reported that the said Committee had gone through the said Bill without any amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the Third time, and past without amendments.

Ordered, that Doctor Colden do acquaint the House of Representatives that the Council have passed the said Bill without any amendments.

The Bill Entituled, An Act for the better Enabling Job Dusochany Eldest son and heir of Mark Dusochany late of the County of Richmond yeoman deceased and other the children of the said Mark Dusochany to sell sundry pieces and parcells of Land Devised to them respectively in and by the last Will and Testament of their said Testator, in order to pay off and discharge the Incumbrances thereupon and other the Debts of their said Testator yet remaining unsatisfyed, Was Read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for raising the quantity of three thousand ounces of Plate for the Effectual sinking and Canceling Bills of Credit to that value, Was Read The Second time and Committed to the Gentlemen of this Board or any five of them.

A Message from the House of Representatives by Captain Van Horn with the Bill Entituled, An Act for the relief of such Persons as have bona fide shipt off cocoa within time, If oath is made thereof and to Debarr such as shall neglect The same within the respective times therein mentioned, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first and

Ordered a Second Reading .

Then the said Bill was Read the Second time, and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort-George in New-York, October 25th, 1722.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll. BEEKMAN,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

M^r Alexander Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the raising, The quantity of three thousand ounces of Plate for the Effectual Sinking and Canceling Bills of Credit to that value, acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then M^r Alexander in his place Reported that the said Committee had gone through the said Bill without any amendments

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time, and past without Amendment.

Ordered, that M^r Alexander do Acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

M^r Barberie Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the relief of such Persons as have Bona fide shipt of Cocoa within time, If Oath is made thereof; and to Debarr such as shall neglect, the same within the respective times therein mentioned, acquainted this Board that the Committee had considered of the same, and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately.

Then M^r Barberie in his place Reported that the said Committee had gone through the said Bill without any amendments.

And the question being put

Whether the said Bill be Read the third time?

It was carryed in the negative.

The question being further put

Whether the said Bill be Rejected?

It was carryed in the affirmative.

Ordered, that the said Bill be Rejected accordingly.

Doctor Colden Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Enable Lewis Morris Jun^r Administrator to Augustine Graham of the City and County of Newyork to dispose of part of the Lands and Tenements formerly belonging to the said Augustine Graham for payment of his Debts and Educating his Children acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made Immediately

Then Doctor Colden in his place Reported that the said Committee had gone through the said Bill and made some Amendments thereto, which were Read and agreed to by this Board.

Ordered, that the said Bill with the Amendments be Engrossed.

Then the said Bill being Engrossed as amended was Read the third time and past.

Ordered, that Doctor Colden do Carry the said Bill to the Assembly and desire their concurrence to the same.

A Message from the House of Representatives by Captain Jansen with the Bill Entituled, An Act of General Assembly of this Colony Entituled, An Act for Regulating the Ferry between the City of New York and the Island of Nassaw and for making the Passage and Transportation over the said Ferry more certain easie and usefull and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time, and

Ordered, a second Reading.

Then the said Bill was Read the Second time, and Committed to the Gentlemen of the Council or any five of them.

At a Council held at Fort-George, in Newyork, Octobr y^e 26th, 1722.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r &c^a.,

Cap^t WALTER,
Coll. BECKMAN,
M^r HARISON,

Doctor COLDEN,
M^r ALEXANDER.
M^r MORRIS, Jun^r.

M^r Harison for M^r Barberie Chairman of the Committee to whom was Committed The Bill Entituled, An Act of General Assembly of this Colony Entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for making the Transportation over the said Ferry more certain easy and usefull, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made Immediately.

Then M^r Harison for M^r Barberie in his place Reported that the said Cōmittee had gone through the said Bill with some Amendments

Ordered, that the said Bill with the Amendments be Read the third time.

Then the said Bill with the Amendments was Read the third time.

Ordered, the said Bill do pass as amended.

Ordered, that M^r Harison do acquaint the House of Representatives that this Board has past the said Bill with some Amendments, and that he carry the said Bill to the House of Representatives with the Amendments made thereto, and desire their concurrence to the same.

A Message from the House of Representatives by M^r Phillipse with the Bill Entituled, An Act to Encrease the number of supervisors in the County of West Chester, and that no Wages of Supervisors shall be any part of the said Countys Rate for the future and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read The first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

At a Council held at Fort-George in New York, October y^e 27th, 1722.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r BARBERIE,
M^r HARISON,

Doctor COLDEN,
M^r ALEXANDER.

A Message from the House of Representatives by M^r Cuyler with the Bill Entituled, An Act for Paying Ebenezer Wilson, John Van Horn, Abraham Gouverneur and Sarah the Widow and Relict of Johannes Hardinbrock deceased for serving in General Assembly, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

Then the said Bill was Read the second time and Committed to the Gent. of this Board or any five of them.

The Bill Entituled, An Act to Encrease the number of Supervisors in the County of West Chester, and that no Wages of Supervisors shall be any part of the said Countys Rate for the Future, Was Read the second time and Committed to the Gentlemen of this Board or any five of them

Coll. Beckman Chairman of the Comittee to whom was Committed the Bill Entituled, An Act for the better Enabling Job Dusoehany Eldest son and heir of Mark Dusoehany late of the County of Richmond yeoman deceased, and other the Children of the said Dusoehany to sell sundry peices and parcells of Land given and Devised to them respectively in and by the Last Will and Testament of their said Testator in order to pay off and discharge the Incumbrances thereupon and other the Debts of their said Testator yet remaining unsatisfyed, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made Immediately.

Then Coll Beekman in his place Reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any Amendments.

Ordered, that Coll Beekman do acquaint the House of Represent. that this Board has past the said Bill without any Amendments.

At a Council held at Fort George in New York, October y^e 31st, 1722.

PRESENT—

His Excellency W^m BURNET, Esq^r, &c^a.

Cap^t WALTER,
Coll. BEEKMAN,
M^r HARRISON,

Doctor GOLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

M^r Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Encrease the number of Supervisors in the County of West Chester that no Wages of Supervisors shall be any part of the said Countys Rate for the future, Acquainted this Board that the Committee had considered of the same and was ready to make their Report when this Board would please to Receive the same.

Ordered, the Said Report be made immediately.

Then M^r Morris in his place Reported that the Said Committee had gone through the Said Bill without Any Amendments.

Ordered, that the Said Bill be Read the third time.

Then the Said Bill was read the third time and past without Any Amendments.

M^r Morris Jun^r Chairman of the Committee to whom was Committed, the Bill Entituled, An Act for paying Ebenezer Wilson, Jun^r Van Horn, Abraham Gouverneur and Sarah the Widow and relict of Johannes Hardenbrock deceased for Serving in General Assembly, Acquainted this Board that the Committee had Considered of the Same and was ready to make their Report when this Board would please to receive the Same.

Then M^r Morris in his place Reported that the Said Committee had gone through the Said Bill with Some Amendments

Then the Said Amendments being Read were disagreed to by this Board.

Ordered, that the Said Bill be Read the third time without Any Amendments.

Ordered, that M^r Morris Jun^r do Acquaint the House of Representatives that this Board has past the two forgoing Bills without Any Amendments. and at the Same time to desire to know from that House what they have done as to the Amendments made by this Board to the Bill Entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for making the Passage and Transportation over the Said Ferry more certain easy and usefull, Sent down to them by this Board for their Concurrence

Ordered, that the Attorney General do prepare a Bill for Recording of Deeds within this Province in order to lay the Same before this Board for passing Against the next Sessions of the Assembly and that when he has made a Draft of Such Bill he do lay it before the Committee of this Board which Shall be appointed upon other affairs for their advice therein

At a Council held at Fort George in New-York, Nov^r y^e 1st, 1722.

Post Meridiem

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a.

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor GOLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

M^r Morris Jun^r in his place Reported that pursuant to An Order of this Board of the 17th Instant, he together with Coll Provoost had Carefully Examined and Compar'd the Enrollment of Acts passed the first and Second Sessions of the Assembly Since his Excellencys Arrival here with the Originals and what mistakes the Clerk had made in Transcribing the Same they had Amended.

Ordered, that the Depnty Clerk of the Council do Acquaint the House of Represent. that his Excellency requires the immediate Attendance of that House at the Council Chamber.

The Assembly Accordingly attending with their Speaker, his Excellency gave his Assent to the following Acts Viz^t

1 An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony

2 An Act for raising the Sum of five hundred pounds to Encourage and promote a Trade with the Remote Nations of Indians and for Securing the five Nations in his Majestys Interest as also the Sum of three hundred twenty pounds three Shillings and two pence farthing advanced by the Several Persons therein named for repairing the Fortifications on the Frontiers

3 An Act for paying Gerrit Van Horn, Jacobus Kip, David Provoost, and Johannes Jansen Esq^s for serving in General Assembly

4 An Act for the payment of the Representatives of the City and County of Albany

5 An Act to Enable Trustees therein named to take sell and dispose of certain Lots of Land the Estate of Gilbert Livingston in the City of New-York for the payment of a certain Bond given and Debt due to his Majesty on the said Gilbert Livingston his Contract for the Farming the Excise of this Province.

6 An Act for raising the quantity of three thousand ounces of Plate for the Effectual sinking and canceling Bills of Credit to that value.

7 An Act for the better Enabling Job Dusochany Eldest son and heir of Mark Dusochany late of the County of Richmond yeoman deceased and other the children of the said Mark Dusochany to sell Sundry peices and parcells of Land given and devised to them respectively in and by the Last Will and Testament of their said Testator in order to pay off and discharge the Incumbrances thereupon and other the Debts of their said Testator yet remaining unsatisfied.

8 An Act to Encrease the number of Supervisors in the County of West Chester and that no Wages of Supervisors shall be any part of the said Countys Rate for the Future.

9 An Act for paying Ebenezer Wilson, John Van Horn, Abraham Gouverneur and Sarah the widdow and relict of Johannes Hardinbroek deceased.

Then his Excellency desired them to adjourn themselves untill the first Tuesday of May next.

SEVENTEENTH ASSEMBLY TWELFTH SESSION.

At a Council held at Fort George in New-York, May 14th, 1723.

PRESENT—

His Excellency W^m BURNET, Esq^r,

Capt^l WALTER,
Coll. BECKMAN,
M^r VAN DAM,

M^r BARBERIE,
M^r HARRISON,
Doctor COLDEN.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber.

The Assembly accordingly attending with their Speaker his Excellency made to them the following Speech in *Hæc Verba*.

Gentlemen,

The unanimity and mutual confidence that have appeared in our former meetings and the General Tranquility that is observable through the whole Province leave me little room to apprehend mischiefs arising from Differences among ourselves.

But when wicked men in Defiance of the most sacred obligations are Continually Conspiring The Ruin of that Glorious Nation to which We belong We cannot but feel the Highest concern while our common fate is in suspence and receive the news of Deliverance with all Imaginable Joy.

The Dangers which have hitherto Threatned us have all taken this happy Turn, and We are now certainly Informed that the late Traiterous Schemes which have been laid against his most

Excellent Majesty and his happy Kingdoms have been rejected and disappointed by Foreign Princes; discovered and prevented by the administration at home and have now brought the conspirators to Justice and Parliamentary resentment.

Could we have believed that under the best of Kings supported by a hearty Parliament, and respected by all the Powers of Europe a Discontented party alone would thus attempt to overturn the constitution, but since men shew themselves so Desperate in the profoundest state of Peace, safety and prosperity can never Justify a Remissness in providing against Publick dangers. What is true of Great Nations is not less applicable to Provinces that Depend on them.

You are very sensible at how great a yearly expense the Govern^t at home Provides for your security both by Land and Sea and if this does not Encourage you to make good your own part in putting your harbour and your Frontier in an Effectual Posture of Defence and in Providing sufficient stores and Magazines under a Proper Regulation, how will you answer it to yourselves if at any time you should come to be Destroyed by surprize.

I have some reason to hope that it cannot be an apprehension that the sums raised for that purpose may be misapplied that will divert you from thinking of it without delay.

What you have given towards Encouraging a Trade with the far Nations of Indians has been frugally Employed and seems to have had a very happy Effect, If this Encouragm^t Is continued and the pernicious Trade to Canada can be Effectually prevented the beginnings, that are already made to bring that Trade into a Right Channel, can scarce fail of coming to Perfection.

I need only remind you of the Deficiency that there is in the Revenue; the Chief Causes of it you were fully Informed of at your last meeting and I depend on it, that your Justice and humanity to the Inferiour Officers will Induce you to provide for it in so ample a manner that the Treasury may be put in advance sufficiently to pay Warrants when they become due which I am informed has been the practice formerly.

I shall be very glad to Joyn with you in any Laws that can be thought of for the Publick benefit, for as I cannot bear the thoughts of any thing against your Interest so I shall not be easy if I omit anything that lyes in my Power to promote it.

W. BURNET

14th May 1723.

At a Council held at Fort George in New York, May 17th, 1723.

PRESENT —

His Excellency W^m BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r MORRIS Jun^r.

His Excellency communicated to this Board, The Address of the General Assembly of this Province.

Ordered, that Cap^t Walter M^r Harison and Doctor Colden be a select Committee to Join a Committee to be appointed by the House of Representatives to prepare the Draft of An Address to be presented to his Majesty from the Governour, Council and Assembly of this Province, and in order thereto the said Committee will meet to morrow at the hour of three in the Afternoon at the House of M^r Bonticow in this City.

The Petition of Adrian Gerritsen in behalf of himself and others the Patentees of the Town of Hurly praying to be heard to the merits of a Bill relating to the Towns of Hurly and Marbletown and that the proceedings upon it may not be delayed by the neglect of the Trustees of Marbletown not attending as they were ordered by this Board, Being Read is Referred to the gentlemen of this Board or any five of them to whom the said Bill is Committed.

At a Council held at Fort George in New-York, May y^e 23^d, 1723.

Post Meridiem.

PRESENT —

His Excellency W^m BURNET, Esq^r,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,

M^r CLARKE,
M^r HARISON,
Doct^r COLDEN.

Cap^t Walter Chairman of the Committee appointed by this Board to Join a Committee of the House of Representatives to prepare the Draft of An Address to be presented to his Majesty

from the Governour, Council and Assembly of this Province, Reported from the said Committee that they had prepared the same, and accordingly laid the same before this Board, which being Read was approved off and

Ordered to be Engrossed.

A Message from the Assembly by Coll. Provoost and Colouell Chambers acquainting his Excellency that that House do approve of the Draft of An Address to his Majesty prepared by a Committee of the Council and a Committee of their House, and that when two fair Copys thereof are Engrossed and signed by his Excellency and the Gentlemen of this Board the Speaker and every Gentleman of that House will likewise sign the same.

The Draft of a Bill for Recording of all Deeds, Conveyances, Wills and other Incumbrances that after the day of one thousand seven hundred and twenty shall be made of or affect any Mannors, Lands, Tenements, or heriditaments within the Province of New-York, Was Read the first time and

Ordered, a second Reading on Thursday next

The Bill Entituled, An Act to Determine and take off the reward allowed by former Acts for Killing and Destroying Wild Catts and Foxes, Was Read, the first time and

Ordered, a second Reading

Vpon Reading the Deposition of Adrian Geritse of the County of Ulster Esq^r Seting forth that on the 12th day of December last he served Harmauns Crom one of the Trustees of the Town of Marbletown in the County aforesaid with an order of this Board, ordering the Trustees of Marbletown to appear before this Board on a Bill Depending between the said Towns on the first Tuesday after the meeting of the General Assembly of this Province, which then stood adjourned till the first Tuesday in this Instant, and that the said Crom thereupon Replied, he would appear accordingly.

And whereas the said Crom nor any of the Trustees of Marbletown have attended pursuant to the said order

Ordered, that M^r Bickley who was Council for the Trustees of Marbletown the last time the Committee met upon said Bill, have notice that a Committee of this Board will meet at the Council Chamber on Thursday next at three in the afternoon in order to proceed upon the said Bill.

Ordered, that the Clerk of the Council do acquaint the said M^r Bickley of the same, and whom else it may concern

At a Council held at Fort George in New York, May y^e 25th, 1723.

Post Meridiem.

PRESENT—

His Excellency W^m BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll. BEEKMAN,
M^r. VAN DAM,

M^r CLARKE,
M^r HARISON,
Doctor COLDEN.

The Bill Entituled, An Act to take off the reward allowed by former Acts for Killing and Destroying Wild Catts and Foxes Was Read the Second time and Committed to the Gentlemen of the Council or any five of them

At a Council held at Fort George in New-York, May 30th, 1723.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

The Bill Entituled, An Act for the Publick Recording of all Deeds, Conveyances Wills and Incumbrances that after the day of One thousand Seven hundred and twenty shall be made of or affect any Manōrs, Lands, Tenements and Hereditaments within the Province of New-York, Was Read the Second time and Committed to the Gentlemen of the Council or any five of them.

Vpon Motion of M^r Alexander

Ordered, that the hearing appointed this Day before a Committee of this Board Concerning the merits of a Bill depending between the Trustees of Hurly and Marbletown be referred

untill Friday the 7th of June next Then to meet at the Council Chamber at four in the Afternoon

Ordered, that the Deputy Clerk of the Council do Serve all partys whom the Same may Concern with Notice hereof.

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of (i. s.) Newyork, New Jersey and Territories thereon Depending in *America* and Vice Admiral of the Same &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of Newyork Stands Adjourned to this Day, I have therefore thought fit for his Majestys service, and by virtue of the Powers and Authoritys to me given by his Majestys Letters Patents under the Great Seal of *Great Britain* further to Adjourn the Said General Assembly untill to morrow the *Sixth* of *this Instant*, And I do hereby Accordingly adjourn the said General Assembly untill to morrow the *Sixth* of *this Instant* of which all his Majestys Subjects are to take Notice and Govern themselves Accordingly

Given Under my hand and seal at Arms at Fort George in *Newyork* the *fifth* day of *June* in the ninth year of his Majestys Reign Anno Dom. 1723.

W. BURNET

By his *Exc^{us}* Command

Is. ROBIN D. Sécry

[N. Y. Col. MSS., LXV., 92.]

God save the KING.

At a Council held at Fort George in New York, June the 6th, 1723.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Coll. BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

A Message from the Assembly by Captain Van Horn with the Bill Entituled, An Act for Reviving An Act Entituled, An Act for Encouraging Navigation and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first Time

Then the Said Bill was Read the first Time and

Ordered a Second Reading

At a Council held at Fort George in New York, June y^e 13th, 1723.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Captain WALTER,
Coll. BEEKMAN,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r MORRIS, Jun^r.

The Bill Entituled, An Act for Reviving An Act Entituled, An Act for Encouraging Navigation was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Petition of Marthias D'heart and William Kerton Pilots of New York was Read praying a certain Encouragement for their Labour in the said office

The said Petition was Referred to the Committee to whom the aforesaid Bill was Committed.

Ordered, that the said Committee prepare a clause to be Added to the said Bill according to the Tenour of the said Petition.

Ordered, also that the said Committee prepare a clause in the said Bill whereby the soldiers of the four Independent Companys shall have Creditts given them for no more than sailors are to have by the said Bill under the like Penalties.

His Excellency Communicated to this Board a Letter from Governour Saltonstall Together with An Act of Assembly of Connecticut Dated the Twenty Ninth of May One Thousand seven hundred and Twenty three for Runing and Ascertaining the Division Line Between this Province and that of Connecticut. His Excellency Likewise communicated minutes of the Commissioners of Indian Affairs at Albany of the Twenty ninth of April Last concerning the far Nations of Indians who are come to Trade at Albany to the number of Eighty Persons besides Women and Children.

Ordered, that the Deputy Clerk of the Council do lay the same before the House of Representatives.

Ordered, likewise that he do at the same time lay before the said House an account of the Warrants signed in Council this Day payable out of the Revenue of this Province.

An Act for Reviving An Act Entituled, An Act for Encouraging Navigation, was Read the Second Time and Committed to the Gentlemen of this Board or any five of them.

A Message from the Assembly by Captain Gerritsen with the Bill Entituled, An Act to Exempt the Sloop Success from the Duty of Tonnage and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first Time.

Then the said Bill was Read the first time and

Ordered, a second Reading

Then the said Bill was Read the second time and Committed to the Gentlemen of this Board or any five of them.

At a Council held at Fort George In New York, June the 14th, 1723.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Coll BEEKMAN,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r MORRIS Jun^r.

The Petition of Cap^t Arent Schuyler, Cap^t Dugdale Campbell and Mess^{rs} Anthony Rutgers and Rodrigo Pacheco of this City Merchants setting forth their having bought in this City at Public Vendue the Sloop Raretan, Built in the Jerseys and the said Vessell by Lying in the Great Dock sometime was Grown so Rotten that they have been obliged Totally to Rebuild her and have Erected her into a Scooner Double the Tonnage she Consisted; therefore praying that the said Vessell may be Included in the Bill Entituled, An Act to Exempt the Sloop *Success* from the Duty of Tonnage, was Read.

Ordered, that the said Petition be Referred to the Consideration of the Gentlemen of the Council to whom the said Bill is committed.

The Petition of Elias Pelletrean Jun^r in behalf of himself and the Rest of the owners of the Sloop *Maryan* praying the said Sloop may be included in the said Bill, Was Read and

Ordered to Lye on the Table.

Doctor Cadwallader Colden Chairman of the Committee to whom was Committed the Bill Entituled, An Act to determine and take off the Reward allowed by former Acts for Killing and Destroying Wild Catts and Foxes acquainted this Board that the Committee had considered of the same and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made Immediately

Then Doctor Colden in his place Reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was read the Third time and past without Amendments.

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

Ordered, that M^r Harison do prepare and bring in a Bill to prevent persons Trusting or Crediting the Souldiers belonging to his Majestys four Independent Companys in this province.

Post Meridicm

PRESENT as Before

Doctor Colden Chairman of the Committee to whom was Committed An Act for Reviving An Act entituled, An Act for Encouraging Navigation acquainted this Board that the Committee had Considered of the same and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately.

Then Doctor Colden in his place Reported that the said Committee had gone through the said Bill with the following Amendments viz^t. Add to the Title of the Bill these words [and to continue and further Explain An Act Entituled, An Act for Establishing Pilotage] and at the End of the Bill add these Words [and whereas the security of navigation does in great Measure depend upon the skill and Experience of knowing and able Pilots and as the scitnation of this Port does Require that certain persons be appointed to Execute that office Be it therefore Enacted that Every Person who is now or hereafter shall be by his Excellency the Governour appointed for the Execution thereof shall and may by virtue of this Act lawfully Demand take and Receive for every vessell coming into this Port or Harbour all such sum or sums of Money as by their Warrant or Warrants Commission or Commissions they are allowed to take and are Entituled to by Virtue of An Act passed in the fourth year of his Majestys Reign Entituled, An Act for y^e Establishing Pilotage which said Act having been found very beneficial to the Navigation of this province and now neer its Expiration. It is therefore Enacted by his Excellency the Governour Council and Assembly That the said Act be and Continue in force for the space of five years longer, and it is hereby further Enacted that the aforesaid sum or sums shall be Recovered by action of Debt in any of his Majestys Courts of Record or if under the value of forty shillings then before the Mayor or any Justice of the Peace of the City of New York And whereas the present Established Pilots have by their petition presented to his Excellency in Council set forth that severall vessells coming into this port and Harbour do Neglect or Refuse to make use of them the said pilots to the Great Damage of their Respective families and Rendering their attendance on their Duty fruitless and Expensive Be it therefore Enacted by the Authority aforesaid that every ship or vessell owned in the whole or in part by the Inhabitants of this province coming into this Harbour whose Master shall Refuse or Neglect to take a pilot shall pay unto the pilot or pilots Established and in attendance the sum of six shilling and the Masters of all ships or vessells not wholly owned by the Inhabitants of this province or y^e Majority of whose owners are not Inhabitants thereof coming into this port or Harbour and neglecting or Refusing to take a Pilot shall pay or cause to be paid unto the pilot or Pilots aforesaid the half of such Rates for Pilotage as is as aforesaid already Established to be Recovered as in Manner aforesaid This Act to continue and Remain in force for and during the aforesaid space of five years

Ordered, that the said Bill with the Amendments be Read the third time.

Then the said Bill was Read the Third time with the Amendments

Ordered, that the said Bill do pass as amended.

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill to the House of Representatives with the Amendments made thereto and desire their concurrence to the same.

Mr Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act of the General Assembly of this Colony Entituled, An Act for Setting the Boundaries Between the Land Granted by Patent unto Cornelius Cool, Adrian Gerritse, Mathias Ten Eyck, Jacobus Du Boys, Johannis Schipmoes, Roeliff Swartwout, Cornelius Lammerse, Peter Pieterse, Lawrence Osterhout, and Jannetie Newkirk, scituate Lying and being in the County of Ulster commonly called the Town of Hurley and the Land Granted by Patent unto Coll Henry Beekman, Captain Thomas Garton, and Captain Charles Broadhead, Trustees for and on the behalf of the Inhabitants of the Town of Marbletown in the County of Ulster aforesaid made in the fourth year of his Majestys Reign Acquainted this Board that the Committee had considered of the same, and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately,

Then Mr Morris in his place Reported that the said Committee had Gone through the said Bill without any Amendments.

The Question being put

Whether the said Bill be Read the third time?

it was carried in the affirmative.

Then the said Bill was Read the third time.

And the Question being further put

Whether the said Bill do pass?

It was carried in the Negative.

Ordered, that the said Bill be Rejected.

Mr Van Dam Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Exempt the Sloop *Success* from the Duty of Tonnage acquainted this Board that the Committee had considered of the same and was Ready to make their Report when this Board would please to Receive the same.

Then Mr Van Dam in his place Reported that the said Committee had gone through the said Bill without any Amendments.

The Question being put

Whether the said Bill be Read the third time?

It was carryed in the affirmative.

Then the said Bill was Read the third time.

And the Question being further put

Whether the said Bill do pass?

It was carryed in the Negative.

Ordered, that the said Bill be Rejected.

Mr Van Dam likewise Reported from the said Committee that they had considered of the petition of Cap^t Arent Schuyler, Cap^t Dugdale Campbell Mess^{rs} Antony Rutgers and Rodrigo Pacheco praying that the Sloop *Keretan* be Exempted from the Duty of Tonnage and the Allegations of the same appearing very just and Reasonable are therefore of opinion that the Petitioners have leave to bring in a Bill to the purposes in the said petition Expressed which Report being approved off,

Ordered, that the Petitioners have leave to prepare and bring in a Bill accordingly.

At a Council held at Fort George in New York, June the 20th, 1723.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll. BEEKMAN,
Mr VAN DAM,
Mr BARBERIE,

Mr CLARKE,
Mr HARRISON,
Doctor COLDEN.

Mr Harrison pursuant to order laid before this Board the Draft of An Act to prevent Desertion from his Majestys Forces in the province of New York. Which was Read and

Ordered a Second Reading.

A Message from the Assembly by Coll. Gausbeek with the Bill Entituled, An Act for Naturalizing Cornelius Van Santwoord, Johannes Martinus Vanharlingen, Peter Stillingwert, Abraham Roeters, Jacobus Wesselse, Abraham Isaacks, David Elias, Jacob Hays, Floris Van Taerling, John Masson, Christopher Lawrence, Peter Malleville, Elizabeth Bows, Joseph Simson, Jean Malliville, Johanna Sophia, Titema Widow of Jacobus Dekey late of The City of New York Deceased Isaack Rodrigues, Adries Trube, Iesaias Vallean, Diana Marche, Lieven Marche, Solomon Meyers, Bartel Mieler, Yoos Sooy, John Pieter Zenger and Henry Mickael Cook, and desiring the concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time, And

Ordered a Second Reading.

A Message from the House of Representatives by Mr Lakerman with the Bill Entituled, An Act for Continuing An Act Entituled, An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time

Then the Said Bill was Read the first time and

Ordered a Second Reading

At a Council held at Fort George in New-York, June the 27th, 1723.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Coll BEEKMAN,
Mr BARBERIE,

Mr CLARKE,
Doctor COLDEN,
Mr MORRIS, Jun^r.

A Message from the Assembly by Cap^t Gerritsen with the Bill Entituled, An Act to Continue An Act of General Assembly Entituled, An Act for the better Clearing and further laying out Highways and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered a Second Reading

The Draught of An Act to prevent Desertion from his Majestys Forces in the province of New-York was Read the Second time and Committed to Gentl. of this Board or any five of them.

The Bill Entituled, An Act for Naturalizing Cornelius Van Santwoord, Johannes Martinus Vanharlingen, Pieter Stillingwert, Abraham Roeters, Jacobus Wesselse, Abraham Isaacs, David

Elias, Jacob Hays, Floris Van Taerling, John Masson, Christopher Lawrence, Pieter Malleville, Elizabeth Boues, Joseph Simson, Jean Malleville, Johannes Sophia Titema, Widdow of Jacobus De key, late of the City of New-York, Deceased, Isaac Rodrigues, Adries Trube, Iesaias Vallean, Dina Marche, Lievin Marche, Solomon Myers, Bartel Mieler, Yoos Sooy, John Pieters Zenger, and Henry Michael Cook, Was Read the Second time and Committed to the Gentl. of the Council or any five of them.

The Bill Entitled, An Act for Continuing An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony was Read the Second time and Committed to the Gentl. of this Board or any five of them

At a Council held at Fort George in New-York, June the 28th, 1723.

PRESENT —

His Excellency W^m BURNET, Esq^r, &c^a.

Cap^t WALTER,
Coll. BEEKMAN,
M^r BARBERIE,

M^r CLARKE,
Doctor COLDEN,
M^r MORRIS, Jun^r.

M^r Clarke Chairman of the Committee to whom was Committed the Draught of An Act to prevent Desertion from his Majestys Forces in the Province of New-York acquainted this Board that the Committee had considered of the said Act and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately.

Then M^r Clarke in his place Reported that the said Committee had gone through the said Act without any Amendments.

Ordered, that the same be Ingrossed.

M^r Clarke in his place likewise Reported that the Committee had gone through the Bill Entitled, An Act for Naturalizing Cornelius Van Santwoord and others without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that M^r Clarke do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

M^r Clarke in his Place further Reported that the Committee had gone through the Bill Entitled, An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony and made the following Amendments thereto viz^t.

Page the 1st Line the 16th Leave out the word [six] and in lieu thereof Insert the word [five] At the End of the Bill add these words [and whereas Thomas Williams Esq^r one of the Commissioners appointed by the aforesaid Act of Assembly for the City and County of Albany is since the passing the said Act Removed from the City so that he cannot attend the necessary Duty of the said office Be it therefore Enacted by the Authority aforesaid, That Phillip Livingston Esq^r the other Commissioner appointed by the said Act for the said City And County shall and is hereby appointed Sole Commissioner for Letting to Farm the Excise of Strong Liquors in the said City and County and shall have, use and Exercise all the powers and authorities and be subject to all and every the Regulations & Directions contained in the said Act as fully to all Intents constructions and purposes whatsoever as all or any the Commissioners named in the said Act are by the said Act appointed Empowered and Directed to have use or Exercise or be Subject to by virtue of the said Act]

Ordered, that the said Bill with the Amendments be Read the Third time.

Then the said Bill was Read the Third time with the Amendments.

Ordered, that the said Bill do pass as amended.

Ordered, that M^r Clarke do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill to the House of Representatives with the Amendments made thereto and desire their concurrence to the same.

A Message from the Assembly by M^r Hendrick Hansen with the Bill Entitled An Act for the Clearing and further laying out of Highways in the City and County of Albany and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

The Bill Entitled, An Act of General Assembly Entitled, An Act for the better clearing and further laying out Highways, Was Read the Second Time and Committed to the Gentlemen of this Board or any five of them.

A Message from the Assembly by M^r Cuyler acquainting this Board that the Assembly cannot agree to the Amendments made by this Board to the Bill Entitled, An Act for Reviving An Act Entitled, An Act for Encouraging Navigation.

And the question being put by his Excellency whether this Board do Recede from their Amendments made to the said Bill it was carried in the affirmative.

Resolved, that this board do Recede from their Amendments made to the said Bill.

Ordered, that Mr Clarke do acquaint the House of Representatives of the same.

Post Meridiem

PRESENT as before

Mr Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Continue An Act of General Assembly Entituled, An Act for the better Clearing and further laying out Highways acquainted this Board that the Committee had considered of the said Bill and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately.

Then Mr Morris in his Place Reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be Read the third time.

Then the said Bill was Read the third time and past without any amendments.

Ordered, that Mr Morris Jun^r do acquaint the house of Representatives that this Board has past the said Bill without any Amendments.

A Message from the Assembly by their Speaker acquainting this Board that himself together with Coll Morris, Mr Phillipse, Cap^t Jansen, Coll. Provoost or any three of them are appointed a Committee by that House to Meet and Make their observations upon An Act passed in the Colony of Connecticut the Ninth of May last Relating to the Division Lines between that Colony and this and Desiring his Excellency that he will be pleased to appoint a Committee of the Council to joyn thereon.

Ordered, that Cap^t Walter, Mr Clarke, Mr Harison, Doctor Colden and Mr Morris Jun^r or any three of them be a Committee to Join a Committee of the House of Representatives for the purposes in the said Message, and that the said Committee do meet to morrow at Three in the afternoon at the House of Mr Bonticow in this city.

At a Council held at Fort George In New - York, July the 4th, 1723.

PRESENT—

His Excellency W^m BURNET, Esq^r, &c^a.

Cap^t WALTER,
Mr VAN DAM,
Mr HARISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Jun^r.

A Message from the Assembly by Cap^t Jansen acquainting this Board that the Assembly do agree to the Amendments made by this Board to the Bill Entituled, An Act for Continuing An Act Entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Cities and Countys in this Colony.

Whereas the Acts of Assembly past Last Session are not as yet Enrolled.

Ordered, that the Secretary do forthwith proceed upon the same without Delay.

A Message from the Assembly by Mr Coeyman with the Bill Entituled, An Act for Naturalizing Catherine Depeyster, Geertruyd Coeymans, Sarah Gouverneur and John Van Loo and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a second Reading.

Then the said Bill was Read the Second time and Committed to the Gentl of the Council or any five of them.

A Message from the Assembly by Mr Lakerman with the Bill Entituled, An Act to Enable Thomas Dongan and Walter Dongan two Surviving Kinsmen of Thomas Late Earl of Lymerick to sell some part of their Estate for payment of their Debts and Discharging some Incumbrances wherewith the same is now charged and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first Time

Then the said Bill was Read the first time and

Ordered, A second Reading

Then the said Bill was Read the Second time and committed to the Gentlemen of the Council or any five of them. And

Ordered, that the Partys concerned therein have Notice to Attend the said Committee to morrow Morning at Ten a clock in Council Chamber

The Bill Entitled, An Act for the Clearing and further laying out of Highways in the City and County of Albany was read the Second Time and Committed to the Gentlemen of this Board or any five of them.

A Message from the Assembly by Mr Hendrick Hansen with the Bill Entitled, An Act for paying the charges and Expenses of Wooden Houses or Sheds Built near the City of Albany for the accommodation of y^e Indian Trading at Albany and for to keep them in good Repair and Desiring the concurrence of this Board thereto.

Ordered, that the said bill be Read the first time.

Then the said Bill was Read the first time and

Ordered a Second Reading

Then the said Bill was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entitled, An Act to prevent Desertion from his Majestys forces in the province of New-York was Read the third time and past.

Ordered, that Mr Morris Jun^r do Carry the said Bill to the House of Representatives and desire their Concurrence to the same.

His Excellency withdrawing, the Gentlemen of the Council Resolved into a Committee

His Excellency Returning to the Council Chamber took his place.

Then Mr Morris Chairman of the Committee to whom was Committed the Bill Entitled, An Act for Naturalizing Catherine De Peyster Geertruyd Coeymans, Sarah Gouverneur, and John Van Loo acquainted this Board that the Committee had considered of the said Bill and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately

Then Mr Morris Jun^r in his Place Reported that the said Committee had gone through the said Bill without any amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any Amendments.

Ordered, that Mr Morris Jun^r do acquaint the house of Representatives that this Board has past the said Bill without amendments.

At a Council held at Fort George In New York, July the 5th, 1723.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,
Mr VAN DAM,
Mr CLARKE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Jun^r.

Cap^t Walter Chairman of the Committee to whom was Committed the Bill for paying the charges and Expenses of Two Wooden Houses or Sheds Built near the City of Albany for the accommodation of the Indian Trading at Albany and for keeping them in good Repair as likewise the Bill Entitled, An Act for the Clearing and further Laying out of Highways in the City and County of Albany, Acquainted this Board that the Committee had considered of the said Bills and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made Immediately.

Then Cap^t Walter in his Place Reported that the Committee had gone through the said Bill without any amendments.

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without any Amendments.

Ordered, that Captain Walter do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

Ordered, the Bill Entitled, An Act to Enable Thomas Dongan and Walter Dongan two Surviving Kinsmen of Thomas late Earl of Lymerick to sell some part of their Estate for Payment of their Debts and discharging some Incumbrances wherewith the same is now charged, be Recommited.

A Message from the Assembly by Coll. Provoost and Cap^t Jansen with the Bill Entitled, An Act for Raising and Levying the Quantity of five Thousand three hundred and fifty ounces of Plate for uses therein Mentioned and for Striking and making Bills of Credit to that value and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

A Message from the Assembly by Coll Hicks with the Bill Entitled, An Act to Revive An Act Entitled, An Act to Authorize the Justices of the Peace to Build and Repair Goals and

Court Houses in the Severall Countys of this Province so farr as it Relates to Queens County and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first Time

Then the said Bill was Read the first Time and

Ordered, a Second Reading.

Post Meridiem

PRESENT as Before

A Message from the Assembly by Cap^t Gerritsen acquainting this Board that the Assembly had Agreed to the Bill Entituled, An Act to prevent Desertion from his Majestys forces in the province of New-York with An amendment which was agreed to by this Board and

Ordered to be Engrossed as amended.

Ordered, that M^r Clarke do Acquaint the House of Representatives of the same. It is further

Ordered, that M^r Clarke do carry back to the Assembly the Bill Entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony and desire they will order the same to be Ingrossed as amended as this Board has done to the Bill Relating to Desertion which is according to the Constant Practice of Parliament.

The Bill Entituled, An Act for Raising and Levying the Quantity of five Thousand Three hundred and fifty ounces of Plate for the uses therein mentioned and for striking and making Bills of Credit of that value was Read the Second time and committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing, the Gentlemen of the Council Resolved into a Committee

His Excellency Returning to the Council Chamber took his place.

Then M^r Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entituled, An Act for raising and Levying the Quantity of five Thousand Three hundred and fifty ounces of Plate for the uses therein Mentioned and for striking and making Bills of Credit of that value as Likewise the Bill Entituled, An Act to Revive An Act Entituled, An Act to Authorize the Justices of the peace to Build and Repair Goals and Court Houses in the severall countys of this Province so farr as it Relates to Queens County acquainted this Board that the Committee had considered of the said Bills and was Ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately.

Then M^r Morris Jun^r in his place Reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, the Said Bill be Read the third time.

Then the said Bill was Read the third time and past without Amendments.

Ordered, that M^r Morris Jun^r do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

Doctor Colden Chairman of the Committee to whom was Committed the Bill Entituled, An Act to Enable Thomas Dongan and Walter Dongan Two Surviving Kinsmen of Thomas late Earl of Lymerick to sell some part of their Estate for Payment of their Debts and Discharging some Incumbrances wherewith the same is now charged Acquainted this Board that the said Committee had gone through the said Bill with the following Amendments viz^t At the End of the Bill add these words [This Act not to be in force untill it Receives his Majestys Royal Approbation.

Ordered, the said Bill with the Amendments be Read the third time.

Then the said Bill was Read the Third time as amended.

Ordered, that the said Bill do pass as amended.

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he Carry the said Bill to the House of Representatives with the amendments made thereto and desire their concurrence to the same.

At a Council held at Fort George In New York, July the 6th, 1723.

Post Meridiem

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.^a,

Cap^t WALTER,
Col^l BEERMAN,
M^r VAN DAM,
M^r HARISON,

Doctor GOLDEN,
M^r ALEXANDER,
M^r MORRIS, Jun^r.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency Requires their Immediate Attendance at the Council Chamber.

The Assembly accordingly attending with their Speaker, His Excellency gave his Assent to the following Acts viz^t

1st An Act for Reviving An Act, Entituled, An Act for Encouraging Navigation.

2nd An Act to prevent Desertion from his Majestys forces in the Province of New York

3rd An Act for Raising and Levying the Quantity of five Thousand and Three hundred and fifty ounces of Plate for the uses therein mentioned and for striking Bills of Credit of that value.

4th An Act for continuing An Act, Entituled, An Act Appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony.

5th An Act for paying the charges and Expences of Two Wooden Houses or Sheds built near the City of Albany for the accommodation of the Indian Trading at Albany and for keeping them in good Repair.

6th An Act to continue An Act of General Assembly Entituled, An Act for the better clearing and further laying out Highways.

7th An Act for the Clearing and further laying out of Highways in the City and County of Albany.

8th An Act to Revive An Act Entituled, An Act to Authorize the Justices of the Peace to Build and Repair Goals and Court Houses in the several Countys of this Province so farr as it Relates to Queens County.

9th An Act to Determine and take of the Reward allowed by former Acts for killing and destroying Wild Cats and foxes.

10th An Act for Naturalizing Cornelius Van Santwoord and others.

11th An Act for Naturalizing Catherine Depeyster, Geertruyd Coeyemans, Sarah Gouverneur and John Van Loo.

12th An Act to Enable Thomas Dongan and Walter Dongan two Surviving Kinsmen of Thomas late Earl of Lymerick to sell some part of their Estate for payment of their Debts and Discharging some Incumbrances wherewith the same is now charged.

Then his Excellency Desired the Assembly to adjourn themselves to the first Tuesday in October next



[N. Y. Col. MSS., LXVI., 47.]

By HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of (i. e.) Newyork Newjersey and Territories thereon Depending in *America* and Vice-Admiral of the same, &c.^a

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands Adjourned to the second Tuesday of March next, I have thought fit, for his Majesty's Service, and by Virtue

of the Powers and Authorities to me given by his Majesty's Letters Patents under the Great Seal of Great Britain further to Adjourn the said General Assembly until the *Second Tuesday of May* next, And I do hereby accordingly Adjourn the said General Assembly until the *Second Tuesday of May* next of which all his Majesty's Subjects are to take Notice, and Govern themselves accordingly.

Given under my hand and Seal at Arms at Fort George in *New York* the
Seventeenth day of *February* in the tenth year of his Majesty's Reign, Annoq
Dom. 1723

By his Excellency's Command
Is. ROBIN D. Secry

W. BURNET

God save the KING.

SEVENTEENTH ASSEMBLY THIRTEENTH SESSION.

At a Council held at Fort George in New York, May y^e 15th, 1724.

PRESENT — His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,
M^r HARRISON,

M^r ALEXANDER,
M^r MORRIS, Jun^r,
M^r W^m PROVOOST.

Ordered, that the Deputy Clerk of the Council do Acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber.

The Assembly accordingly attending with their Speaker his Excellency made the following Speech in these words viz^t.

Gentlemen,

The hearty Zeal which you have always shewn for his Majestys Government and your just Concern for the welfare of Great Britain on which your own Safety and happiness Depends makes this opportunity very agreeable to me of Rejoycing with you at the present happy posture of Affairs at Home and the unparalleled Glory his Majesty has gained abroad by fixing the peace and Tranquility of Europe on such lasting foundations as humanly Speaking cannot easily be shaken.

The Wisdom of a British Parliament has been very Eminent upon this occasion, they have not Slacken'd their Care in Securing the Nation from Danger or Surprize and they have Employed a time of Plenty Wealth and Quiet in providing for an Easy and Effectuall payment of the publick Debts,

It is with pleasure I Recommend to you so great an Example since as I am sure you approve and admire it I have Reason to Expect you will imitate in your own measures for maintaining the Defence and credit of this Province.

When you are informed of the Ruinous Condition of the buildings of this Fort which is the only strength of the Town and Harbour, you will agree with me that an immediate and sufficient Provision to Repair it is the most frugal method to go about so necessary a work; what you have formerly Provided has been fully Employed by me for that Service and I will order and estimate of the Extraordinary Repairs now wanting to be laid before you.

The great Arrears due on the Support of Government are a great hardship and Discouragement to the officers which I believe you will not think they Deserve, I must therefore Earnestly Recommend it to you to make an Effectuall provision for all the Incumbrances Remaining on the Revenue and to supply the Treasurer so amply that for the future Warrants may be paid punctually as they become Due.

I have the Satisfaction to acquaint you that his Majesty has given his Royall Approbation by an Order in Council to An Act for runing and Ascertainning the Lines of Partition and Division between this Colony and the Colony of Connecticut.

I must observe to you that this has not been obtained without much opposition from the agent for the Colony of Connecticut and after two hearings one before the Lords of Trade

and the other before a Committee of the Privy Council who Reported to his Majesty in favour of the Act.

The usefulness of having Agents constantly at Home may appear very plainly to you upon this occasion, and I wish I was not obliged to Remind you to make good your Encouragement for the time past and that Account as I am Confident you will Judge it necessary to continue the like Encouragement for the future and what you have still Depending and what you shall have from time to time may not suffer for want of care and attendance with (*sic*) the business Requires and without which the misrepresentation of persons may gain credit to the prejudice of your proceedings.

When I send you a copy of his Majesty's order and (*sic*) Council I will at the same time send you Copys of all the papers that passed at a State meeting between Comm^{rs} from this Province and Comm^{rs} for Connecticut from whence the Latter thought fitt to withdraw very unexpectedly, that you may Consider what further Measures to take to bring this Affair to a conclusion.

I believe you are very Sensible of the good Effect of the Laws to prevent the Trade for Indian Goods to Canada the Number of Remote Nations who came to Trade at Albany last summer was a begining of those happy Conveyances which you had in View and there is Reason to Expect greater Number of those Indians at this time, unless the French use Violence to prevent them and in Case that* I am sure there will not be only more reason than ever to continue the Laws, But indeed it will become Necessary to forbid all manner of Correspondence with Canada, if they Attempt to Deprove you of the Right which the Treaty between Great Britain and France gives you of Tradeing with all the Indians on the Continent of America who are not to be hindred or Molested in their Way to and from the of the British Colonys on Account of Trade.

This matter is of such consequence that I hope you will Omit no measures that may be taken to Increase our Trade with the far Nations and prevent any persons from continuing to serve the French Interests for their own private gain to the Manifest Detriment of the publick Interest and safety, and at the same time I am Confident you will think that all proper methods should be provided for that may Encourage the five Nations to Remain firm to us and to prevent the unwearied endeavours the french use to seduce them.

I have Received An Additional Instruction from his Majesty concerning Private Acts of which I will send you a copy.

If any Laws are thought Requisite by you for the publick Good I shall always continue my Readiness to join with you in every thing consistant with my Duty and your happiness.

[N. Y. Col. MSS., LXVI., 83.]

By HIS EXCELLENCY

WILLIAM BURNET, Esq^r; Captain General and Governour in Chief of the Provinces of New York, New Jersey, and Territories thereon Depending in *America*, and Vice Admiral of the same, &c^a.

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands Adjourned to this day I have thought fit, for his Majests Service, and by Virtue of the Powers and Authoritys to me given by his Majestys Letters Patents under the Great Seal of *Great Britain* further to Adjourn the said General Assembly until to morrow the *second* of *this instant* and I do hereby accordingly Adjourn the said General Assembly until to morrow the *second* of *this Instant*, of which all his Majestys Subjects are to take Notice, and Govern themselves accordingly

Given under my hand and seal at Arms at Fort George in *New York* the *first* day of *June* in the tenth year of his Majestys Reign Annoq Dom. 1724

By his Excellencys Command

Is ROBIN D Sécry

W. BURNET

God save the KING

* In that case.

† Sic, for "any."

At a Council held at Fort George in New York, June the 23^d, 1724.

PRESENT —

His Excellency W^m BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r VAN DAM,
M^r HARRISON,

Doctor COLDEN,
M^r W^m PROVOOST.

A Message from the Assembly by M^r Coeyman with the Bill Entituled, An Act to prevent Damages by Swine in Dutchess County and in the Mannor of Livingston and in the Precinct of the Mannor of Renselaerswick called Claverack and desiring the concurrence of this Board thereto.

Ordered, that the said Bill by Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

Then M^r Barberie took his place

A Message from the Assembly by M^r Hutchinson with the Bill Entituled, An Act for the further Laying out highways in the County of Suffolk and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

This Board observing that the Act Entituled, An Act for Settling the Militia in this Province and making of it more usefull for the Security and Defence thereof and for Repealing all former Acts relating to the same, is near Expiring,

Resolved, that a Bill be brought in for Continuing the said Act and making such Additions thereto as shall be thought Requisite & that M^r Harrison, Doctor Colden and W^m Provoost do prepare and bring in the same accordingly.

The Memorial of Archibald Kennedy Esq^r Receiver General of this Province informing this Board that by inspecting the Records of Patents for Land he finds a great many where the Rent is not fully ascertained the Reddendum of such Patents being Expressed in the following Words Yeilding &c^a such Rents and Acknowledgements as shall be Established by the Laws of this Government,—and praying that the Rents of such Patents may now be ascertained by the Legislative authority, was Read, and Referred to the Gentlemen of this Board or any five of them.

At a Council held at Fort George in New York, June the 24th, 1724.

PRESENT —

His Excellency W^m BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r W^m PROVOOST.

A Message from the Assembly by Coll Hicks with the Bill Entituled, An Act to Enable the Justices of Queens County to finish and compleat the Goal and Court house already erected in the said County and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was Read the first time and

Ordered, a Second Reading

A Message from the Assembly by M^r Jansen with the Bill Entituled, An Act to prohibit all persons but Susanna Parmyter Widow and her Assigns to make Lamp black during the space of Ten years and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading

The Bill Entituled, An Act to prevent Damages by Swine in Dutchess County and in the Mannor of Livingston and in that precinct of the Mannor of Renselaerswick called Claverack in the County of Albany, Was Read the Second time and committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act for the further Laying out and better clearing highways in the County of Suffolk was read the second time and Committed to the Gentlemen of this Board or any five of them.

The Committee appointed to bring in a Bill for Reviving the Militia Act Represented to the Board that Omissions and inconveniencies of That Act will Require that a New Bill be prepared in Lieu thereof to which the Board do agree.

Ordered, that the said Committee do bring in a new Bill for that purpose.

At a Council held at Fort George in New York, June the 29th, 1724.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr W^m PROVOOST.

Mr Harrison in his place Reported from the Committee appointed to bring in a Bill for better settling the Militia that they had prepared the same accordingly and directed him to Lay the same before this Board.

Ordered, that the said Bill be Read the first time.

Then the said Bill was read the first time and

Ordered, a second Reading.

Doctor Colden Chairman of the Committee to whom was Referred the Memorial of Archibald Kennedy Esq^r Receiver General of this Province in his place Reported that the said Committee had considered of the said Memorial and were of opinion that the said Receiver General do advise with the Chief Justice of this Province in order for the preparing a Bill to the Purposes of the Memorial Mentioned and that he have Leave to present the same to his Excellency and this Board, which Report was approved of.

Doctor Colden further Reported from the said Committee to whom was Committed the Bill Entituled, An Act to prevent Damages by Swine in Dutchess County and the Mannor of Livingston and that Precinct of the Mannor of Renselaerswick called [Claverack] in the County of Albany. That the Committee had considered of the same and was Ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately.

Then Doctor Colden in his place reported that the said Committee had gone through the said Bill and agreed to the same without Amendment.

Ordered, that the said Bill be Read the Third time.

Then the said Bill was read the Third time.

Ordered, that the said Bill do pass without Amendment.

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill without Amendment.

The Bill Entituled, An Act for settling and Regulating the Militia in this Province and making the same usefull for the security and Defence thereof and for Repealing all other Acts Relating to the same, Was Read the second time, and Committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing, the Gentlemen of the Council Resolved into a Committee. *

His Excellency returning to the Council Chamber took his place

Then Doctor Colden in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act to prohibit all persons but Susanna Parmyter widow and her assigns to make Lampblack during the space of Ten Years as likewise the Bill Entituled, An Act to Enable the Justices of Queens County to finish and compleat the Goal and Court house already Erected in the said County That the Committee had considered of the said Bills and was Ready to make their Report when this Board would please to Receive the same

Ordered, that the Said Report be made immediately.

Then Doctor Colden in his place Reported that the Said Committee had gone through the Said Bills and Agreed to the Same without Amendments

Ordered, that the Said Bill be read the third time.

Then the Said Bill was read the third time.

Ordered, that the Said Bill do pass without Amendment.

Ordered, that Doctor Colden do Acquaint the house of Representatives that this Board has past the Said Bills without amendments.

At a Council held at Fort George in New York, July the 9th, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr WILLIAM PROVOOST.

Mr Harrison Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Settling and Regulating the Militia in this Province and making the Same Usefull for the Security and Defence thereof and for Repealing all other Acts Relating to the Same, Acquainted

this Board that the Committee had Considered of the Same and was ready to make their Report when this Board would please to Receive the Same.

Ordered, that the Said Report be made immediately.

Then Mr Harison in his place Reported that the Said Committee had gone through the Said Bill with Some Amendments, Which were read and Agreed to by this Board.

Ordered, that the Said Bill with the Amendments be Engrossed.

At a Council held at Fort George in New York, July the 11th, 1724.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARISON,

Doctor COLDEN,
Mr W^m PROVOOST.

A Message from the Assembly by Mr Hansen dated the First Instant with the Bill Entituled, An Act for Naturalizing Fraus Vandenberg, Harmanus Simonis, Johannes Glundorff, Peter Felinck, Francis Clerimbault, Jean Claudi, and Johan Philip Lemmingbecker and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be Read the first time.

Then the Said Bill was Read the first time and

Ordered, a Second Reading

A Message from the Assembly by Mr Laeckerman Dated the third instant with the Bill Entituled, An Act to oblige the Collector and Treasurers of Richmond County Effectually to Collect and pay the Annual Rate of the Said County and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time.

Then the Said Bill was read the first time and

Ordered, a Second Reading

Then Mr Harison took his place.

A Message from the Assembly by Alderman Kip dated the fourth instant with the Bill Entituled, An Act for paying Garret Van Horne, David Provoost, Johannes Jansen, and Jacobus Kip Esq^{rs} for Serving in General Assembly and Desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time.

Then the Said Bill was read the first time and

Ordered a Second reading.

A Message from the Assembly by Mr Philipse, Coll Provoost, Coll Willett and Coll Hicks dated the ninth instant with the Bill Entituled, An Act for raising and Levying the Sum of Six Thousand Six hundred and thirty pounds for the Supplying the Deficiencies of his Majestys Revenue and for the Several Uses and Purposes therein mentioned and for making Bills of Credit to be Issued for that Value.

Ordered, that the Said Bill be read the first time.

Then the Said Bill was read the first time and

Ordered, a Second reading.

The Engrossed Bill Entituled, An Act for Settling and Regulating the Militia of this Province and making the Same Usefull for the Security and Defence thereof and for repealing all former Acts relating to the Same, Was read the third time and past.

Ordered, that Mr Harison do Carry the Said Bill to the House of Representatives for their Concurrence to the Same.

At a Council held at Fort George in New York, the 13th of July, 1724.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Doctor COLDEN,

Mr ALEXANDER,
Mr WILLIAM PROVOOST.

Mr Alexander in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act for the further laying out Regulating and better Clearing Highways in the County of Suffolk that the Committee had Considered of the Said Bill and was ready to make their Report when this Board would please to receive the Same.

Ordered, that the Said Report be made immediately.

Then Mr Alexander in his place Reported that the Committee had gone through the Said Bill and Agreed to the Same without Any Amendments.

Ordered, that the Said Bill be read the Third time

Then the Said Bill was read the first (*sic*) time and past without Amendments.

Ordered, that Mr Alexander do Acquaint the House of Representatives that this Board has past the Said Bill without Amendments.

The Bill Entituled, An Act for Naturalizing Francis Vanderberg, Harmanus Simonis, Johannis Glundorff, Peter Felinck, Francis Clerembault, Jean Claudi, and Johannis Phillip Lemningbecker, Was read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act for to Oblige the Collectors and Treasurer of Richmond County Effectually to Collect and pay the Annual rate of the Said County, Was read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act for paying Garrit Vanhorne, David Provoost, Johannes Jansen and Jacobus Kip Esq^s for Serving in General Assembly was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for raising and Levying the Sum of Six Thousand and Six hundred and thirty pounds for the Supplying the Deficiencies of his Majestys Revenue and for the Several uses and purposes therein mentioned and for making Bills of Credit to be issued for that value, Was read the Second time and Committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing The Gentlemen of the Council resolved into a Committee

His Excellency returning to the Council Chamber took his place

Then Mr Alexander in his place Reported from the Committee to whom was Committed the following Bills Viz^t The Bill Entituled, An Act for naturalizing Francis Vandenberg, Harmanus Simonis, Johannes Glundorff, Peter Felinck, Francis Clerembault, Jean Claudi and Johan Phillip Lemningbecker. The Bill Entituled, An Act to Oblige the Collectors and Treasurer of Richmond County Effectually to Collect and pay the Annual rate of the Said County. The Bill Entituled, An Act for paying Garrit Vanhorne, David Provoost, Johannes Jansen, and Jacobus Kip Esq^s for Serving in General Assembly And the Bill Entituled, An Act for raising and Levying the Sum of Six Thousand Six hundred and Thirty pounds for the Supplying the Deficiencies of his Majestys Revenue and for the Several uses and purposes thereinmentioned and for making Bills of Credit to be issued for that Value, that the Committee had Considered of the Said Bills and was ready to make their Report when this Board would please to Receive the Same.

Ordered, that the Said Report be made immediately.

Then Mr Alexander in his place Reported that the said Committee had agreed to the said Bills without any Amendment.

Ordered, that Mr Alexander do acquaint the House of Representatives that this Board has past the said Bills without any Amendments.

At a Council held at Fort George in New York, July the 16th, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Mr VAN DAM,
Mr CLARKE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr W^m PROVOOST.

A Message from the Assembly by Coll. Provoost Dated the 14th of July with the Bill Entituled, An Act to prevent Tenants of all kinds from Committing Waste and Trespasses on Lands in their Tenure or Possession and for punishing all such other persons as by Water or Land shall aid and abet therein and for preventing Diverse other Enormitys Exceeding hurtfull to the growing Settlements and Plantations in the Countys of Orange and Ulster and for Laying out and maintaining a High Road with the same, and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second Reading

A Message from the Assembly by Mr Jansen dated the 14th Instant with the Bill Entituled, An Act to Encourage William Bradford and his Assignes to make Paper and prohibit all other persons from making the same in this Province during the space of fifteen years and Desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time.

Then the said Bill was Read the first time and

Ordered, a Second Reading.

A Message from the Assembly by Coll. Provoost dated the 16th instant with the Bill Entituled, An Act to prevent Boats and other vessells and the Goods put on Board them from being interrupted or molested whilst their navigation is Confined within this Colony and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading

The Receiver General according to order laid before this Board The Bill Entituled, An Act for the Ascertainig the Rents due and payable to his Majesty for some of the Lands formerly granted in this Province for which no certain Rent hath been reserved in the Grants made of the said Land

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading.

At a Council held at Fort George in New York, July the 18th, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,

M^r VAN DAM,

M^r CLARKE,

M^r BARBERIE,

M^r HARISON,

Doct^r COLDEN,

M^r W^m PROVOOST.

A Message from the Assembly by M^r Jansen dated the 16th Instant with the Bill Entituled, An Act for continuing the Aets made for prohibiting the Selling the Indian Goods to the French with some alterations and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered, a Second reading.

The Bill Entituled, An Act to prevent Tenants of all kind from Committing Waste and Trespasses on Land in their Tenure or possession and for punishing all such other persons as by Water or Land shall aid and abet therein and for preventing Diverse other Enormities exceeding hurtfull to the growing Settlements and Plantations in the Countys of Orange and Ulster and for Laying out and maintaining a High Road with the same, Was read the Second time and committed to the Gentlemen of the Council or any five of them.

The Bill Entituled, An Act to Encourage W^m Bradford and his Assignes to make Paper and to Prohibit all persons from making the same in this Province during the space of fifteen years, Was Read the Second time and Committed to the Gentlemen of the Council or any five of them.

The Bill Entituled, An Act to prevent Boats and other Vessells and the Goods put on Board them from being interrupted or molestéd whilst their navigation is confined within this Colony, Was read the Second time.

Upon reading the Petition of Archibald Kennedy Esq^r Collector and Receiver General of this Province concerning the said Bill.

Ordered, that the Deputy Clerk of the Council do Carry a Message to the Assembly acquainting them that this Board desires they would Communicate to them such Papers or other Informations on which the Preamble of the said Bill is grounded.

The Board taking into consideration that this Sessions of Assembly is near Closing and the Bill Entituled, An Act for the Ascertainig the Rents due and payable to his Majesty for some of the Lands formerly granted in this Province for which no certain Rent hath been reserved in the Grant made of the said Lands being of consequence, it is therefore referred till next Sessions.

His Excellency withdrawing the Gentlemen of the Council resolved into a Committee.

His Excellency returning to the Council Chamber took his place.

Then M^r Clarke Chairman of the Committee to whom was Committed the Bill Entituled, An Act for to prevent Tenants of all kind from Committing Waste and Trespasses on Lands in their Tenure or possession and for punishing all such other persons as by Water or Land shall aid or abet therein and for preventing Diverse other Enormities Exceeding hurtfull to the growing Settlements and Plantations in the Countys of Orange and Ulster for Layingout and maintaining a High Road with the same Reported that the Committee had gone through the said Bill and made the following amendments thereto to wit folio 2^d Line the 19th between [year] and the word [of] Insert these words [of the Reign] Strike out the word Reign in the same Line and in Lieu thereof insert these words [King William the third of Glorious Memory] fol 3^d Line the 13th Leave out the word [liring] and in Lieu thereof insert the word [fencing] fol 8 Line the 22^d between the word [aforesaid] and the word [to] insert these words [and within four miles on either side of the Road by this Act intended to be made.]

Ordered, that the said Bill be Read the third time with the amendments.

Then the said Bill was Read the third time with the Amendments and past as amended.

Ordered, that Mr Clarke do carry the Bill to the House of Representatives with the Amendments made thereto by this Board and desire their concurrence to the same.

Mr Clarke likewise Reported from the same Committee to whom was Committed the Bill Entituled, An Act to Encourage William Bradford and his Assignes to make Paper and to prohibit all person from making the same in this Province during the space of Fifteen years, that they had gone through the said Bill without any Amendment

The question being put

Whether the said Bill be read the Third time?

It was carried in the negative

At a Council held at Fort George in New York, July the 21st, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,

Mr VAN DAM,

Mr BARBERIE,

Mr HARISON,

Mr W^m PROVOOST.

A Message from the Assembly dated the [by Col Provoost acquainting] this Board that the Assembly do agree to the Amendments made by this Board to the Bill Entituled, An Act to prevent Tenants of all kind from Committing Waste and Trespasses on Lands in their Tenure or Possession and for punishing all such other persons as by Water or Land shall aid and abet therein &c

The Bill Entituled, An Act for continuing the Acts made for prohibiting the selling of Indian Goods to the French with some alterations was read the second time and Committed to the Gentlemen of this Board or any five of them.

A Message from the Assembly dated the Twentyeth instant by Coll Schuyler with the Bill Entituled, An Act for the fortifying the City of Albany and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a Second reading.

A Message from the Assembly by Mr Cuyler dated the 21st instant with the Bill Entituled, An Act to Enable the Mayor, Aldermen and Commonalty of the City of Albany to Defray the Publick and necessary charges of the said City and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading.

A Message from the Assembly dated the 21st Instant by Alderman Jansen with the Bill Entituled, An Act for making Bills of Credit and puting the same into the Treasurers hands for Exchanging therewith such Bills of Credit of this Province as are Torn and Defaced and desiring the concurrence of this Board thereto.

Ordered, that the Bill Entituled, An Act to prevent Boats and other vessells and the Goods put on Board of them from being interrupted or molested whilst their navigation is Confined within this Colony, be Referred to the Gentlemen of this Board or any five of them and that the Collector and Receiver Generals Petition Relating thereto be considered by the same Committee as Likewise the Depositions of James Smallshanks and Thomas Scudder laid before this Board by Coll Hicks, Coll Thomas Willet and Cap^t Van Horne by order of the General Assembly. It [is] further

Ordered, that the Said Committee do at the Same time Consider of the Laws of Trade So far as it relates to the Said Bill.

Ordered, that the Deputy Clerk of the Council do Acquaint the House of Representatives that Doctor Colden is appointed by this Board to Examine and Compare the Acts of Assembly of this Province passed the 3^d 4th and 5th Sessions of Assembly Since his Excellencys Arrival with the Enrollment thereof and to Desire that House to appoint one of their members to Join therein after the End of this Session

At a Council held at Fort George in New York, the 22^d July, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
M^r W^m PROVOOST.

M^r Harison in his place Reported from the Committee to whom was Committed, The Bill Entituled, An Act for Continuing the Acts made for prohibiting the Selling of Indian Goods to the French with Some alterations that they had Considered of the Said Bill and was ready to make their Report when this Board would please to Receive the Same

Ordered, that the Said Report be made immediately.

Then M^r Harison in his place Reported that the Said Committee had agreed to the Said Bill without Any Amendment.

Ordered, that the Said Bill be read the third time.

Then the Said Bill was read [the third] time and past without Amendments.

Ordered, that M^r Harison do Acquaint the House of Representatives that this Board has past the Said Bill without Amendments

M^r William Provoost Chairman of the Committee to whom was Committed the Bill Entituled, An Act to prevent Boats and other Vessells and the Goods put on Board them from being interrupted or Molested whilst their Navigation is Confined within this Colony Reported that they had Considered of the Said Bill and was ready to make their Report when this Board would please to Receive the Same.

Ordered, that the Said Report be made immediately.

Then M^r Provoost in his place Reported that the Committee had Agreed to the Said Bill with the following Amendments To wit between the word [Persons] in the 18 Line of the third page and the word [Shall] in the 19 Line of the Said Page insert these words [being Officers of his Majestys Customs—in the Same Line between the [for] and the word [seizing] insert these words [for making Search for any Goods prohibited or for which for (*sic*) his Majestys Dues or Customs have not been paid for]

Ordered, that the Said Bill be Read the third time as Amended.

Then the Said Bill was Read the third time with the Amendments.

Ordered, that M^r William Provoost do Acquaint the House of Representatives that this Board has past the Said Bill with Some Amendments and that he Carry the Said Bill with the Amendments made thereto to the House of Representatives and desire their Concurrence to the Same.

The Bill Entituled, An Act for the fortifying the City of Albany was read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act for making Bills of Credit and putting the same into the Treasurers hands for Exchanging therewith such Bills of Credit of this Province as are Torn and Defaced was read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act to Enable the Mayor Aldermen and Commonalty of the city of Albany to Defray the Publick and necessary charges of the said City was read the Second time and Committed to the Gentlemen of the Council or any five of them.

At a Council held at Fort George in New York, July the 23^d, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
Doctor COLDEN,
M^r WILLIAM PROVOOST.

A Message from the Assembly by M^r Jansen acquainting this Board that they do agree to the Amendments made by this Board to the Bill Entituled, An Act to prevent Boats and other Vessells and the Goods put on Board them from being Interrupted or Molested whilst their navigation [is confined] within this Colony

M^r Barberie Chairman of the Committee to whom was Committed the following Bills viz^t The Bill Entituled, An Act for the fortifying the City of Albany. The Bill Entituled, An Act to Enable the Mayor Aldermen and Commonalty of the City of Albany to defray the publick and necessary charges of the said City, and the Bill Entituled, An Act for making Bills of Credit and putting the same into the Treasurers hands for Exchanging therewith such Bills of Credit of this Province as are Torn and Defaced Reported that they had considered of the said Bills and was Ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately.

Then Mr Barberie in his place Reported that the Committee had agreed to the said Bills without any amendments.

Ordered, that the said Bills be read the third time.

Then the said Bills were Read the Third time and past without amendments

Ordered, that Mr Barberie do acquaint the House of Representatives that this Board has past the said Bills without amendments

At a Council held at Fort George in New York, July the 24th, 1724.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Mr VAN DAM,
Mr BARBERIE,

Mr HARISON,
Doctor COLDEN,
Mr WILLIAM PROVOOST.

A Message from the Assembly by Coll William Willett acquainting this Board that they had agreed to the Bill Entituled, An Act for Settling and Regulating the Militia in this Province and making the same usefull for the security and Defence thereof with some alterations.

Which Amendments were Read and agreed to by this Board.

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has agreed to the said Amendments.

His Excellency laid before this Board a Resolve of Assembly addressing his Excellency that Lawrence Clausen the Indian Interpreters Salary be augmented from Thirty pounds ^{per} annum to sixty pounds ^{per} ann. to commence from the 15th day of June Last and that he issue his Warrants to the Treasurer for the same, which being read were approved of and *Ordered*, Warrants be prepared accordingly.

A Message from the Assembly by Coll Schuyler with the Bill Entituled, An Act for Laying out and clearing Publick Highways in the Precinct of Scholacre in the County of Albany and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered, a second reading.

Then the said Bill was read the second time and Committed to the Gentlemen of the Council or any five of them.

His Excellency withdrawing, The Gentlemen of the Council resolved into a Committee

His Excellency returning to the Council Chamber took his place

Then Mr Van Dam Chairman of the Committee to whom was Committed the s^d Bill, Reported that they had considered of the said Bill and was ready to make their Report when this Board would please to Receive the same.

Ordered, that the said Report be made immediately.

Then Mr Van Dam in his place reported that the Committee had gone through the said Bill without Amendment.

Ordered, that the said Bill be read the Third time.

Then the said Bill was read the third time and past without Amendment.

Ordered, that Mr Van Dam do acquaint the House of Representatives that this Board has past the said Bill without Amendment.

His Excellency laid before this Board His Majestys Disallowance of An Act to Lay a Duty of two pounds Prime Cost on Every hundred pounds value prime cost of all European Goods imported into this Colony which follows in these Words

At the Court at St James's the 30th day of April, 1724

PRESENT —

The KING'S Most Excellent MAJESTY.

Arch Bishop of Canterbury
Lord President
Duke of Kent
Duke of Roxborghe
Duke of New Castle
Earl of Lincoln
Earl of Cadagan

Earl Coningby
Lord Viscount Townsend
Lord Viscount Torrington
Lord Bishop of London
Lord Carteret
Mr Comptroller
Lieu^t General of the Ordance (Sic.)
Sr Robert Sutton

WHEREAS by Commission under the Broad Seal of Great Britain the Governour Council and Assembly of his Majestys Colony of New York in America are authorized and Impowered to

make constitute and ordain Laws Statutes and Ordinances for the Publick Peace Welfare and Good Government of the said Colony which Laws Statutes and Ordinances are to be as near as conveniently may be to the Laws and Statutes of this Kingdom and are to be Transmitted to his Majesty for his Royal approbation or disallowance And Whereas in pursuance of the said Powers An Act was passed in the said Colony of New York in December 1720 and hath been Transmitted Entituled as follows viz^t

An Act to Lay a Duty of Two pound on every hundred pounds value Prime Cost of all European Goods imported into this Colony.

Which Acts together with a Petition of several Merchants Trading to New York against it, having been considered by a Committee of the Lords of his Majestys most honourable Privy Council their Lordships this Day Reported the said Act as unfitt for his Majesty's Royal Approbation

His Majesty taking the same into consideration is thereupon pleased with the advice of his Privy Council to Declare his disallowance of the said Act and pursuant to his Royal pleasure thereupon the said Act is hereby Declared void and of none Effect.

JA : VERNON

Ordered, that M^r Harison do acquaint the House of Representatives of the same.

At a Council held at Fort George in New York, July y^e 24th, 1724.

Post Meridiem.

PRESENTIBUS—

Eisdem.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their immediate Attendance at the Council Chamber.

The Assembly attending accordingly with their Speaker his Excellency gave his Assent to the following Acts. Viz^t

1st An Act for Raising and Levying the sum of Six Thousand Six hundred and Thirty pounds for the Supplying the Deficiencies of his Majestys Revenue and for the several uses and purposes therein mentioned and for making Bills of Credit to be issued for that value

2^d An Act for settling and Regulating the Militia in this Province and making the same usefull for the Security and Defence thereof and for repealing all other Acts relating to the same

3 An Act for continueing the Acts made for prohibiting the selling of Indian Goods to the French with some alterations

4 An Act for making Bills of Credit and putting the same into the Treasurers hands for Exchanging therewith such Bills of Credit of this Province as are Torne and Defaced.

5th An Act to prevent Tenants of all kind from committing Waste and Trespasses on Lands in their Tenure or possession and for punishing all such other persons as by Water or Land shall aid or abet therein and for preventing Diverse other Enormities Exceeding hurtfull to the growing Settlements and Plantations in the Countys of Orange and Ulster and for Laying out and maintaining a High road within the same

6th An Act to prevent Boats and other Vessells and the goods put on Board of them from being interrupted or molested whilst their Navigation is Confined within this Colony

7th An Act for the fortifying the City of Albany.

8th An Act to Enable the Mayor Aldermen and Commonalty of the City of Albany to Defray the Publick and Necessary charges of the said City.

9th An Act to prevent Damages by Swine in Dutchess County and in the mannor of Livingston and in that Precinct of the mannor of Renselaerswick called Claverack in the County of Albany.

10th An Act for Laying out and Clearing Publick Highways in the Precinct of Schohare in the County of Albany

11th An Act for paying Gerrit Vanhorne, David Provoost, Johannes Jansen, and Jacobus Kip Esq^{rs} for serving in General Assembly.

12th An Act to Enable the Justices of the Peace in Queens County to Finish and Compleat the Goal and Court house already Erected in the said County.

13th An Act for the further Laying out and regulating the better clearing Highways in the County of Suffolk

14th An Act to oblige the Collectors and Treasurers of Richmond County effectually to collect and pay the Annual rate of the said County

15th An Act for Naturalizing Fraus: Vandenbergh Harmanus Simonis, Johannes Ghendorff, Peter Felmeck Francis Clerembault, Jean Claudis, and Johan Phillip Lenningbecker.

16th An Act for to prohibit all persons but Susanna Parmyter Widow and her Assignes to make Lampblack during the space of Ten years

Then his Excellency desired the Assembly to adjourn themselves till the first Tuesday of October next.

[N. Y. Col. MSS., LXVI., 131.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq^r Captain General and Governour in Chief of the Provinces of
(L. S.) New York New Jersey, and Territories thereon Depending in *America*, and Vice
Admiral of the same, &c^a.

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands adjourned to the first Tuesday of October next I have thought fitt for his Majesty's Service and by Virtue of the powers and Authoritys to me given by his Majesty's Letters Patents under the Great Seal of *Great Britain* further to Adjourn the said General Assembly untill the *first Tuesday of March* next and I do hereby accordingly Adjourn the said General Assembly untill the *first Tuesday of March* next of which all his Majestys Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and Seal at Arms at Fort George in NEW YORK the *fifth* day
of *September* in the Eleventh year of his Majestys Reign Annoq Domini 1724
W BURNET

By his Excellencys Command
Is ROBIN, *D Sécry*

God save the KING.

SEVENTEENTH ASSEMBLY FOURTEENTH SESSION.

At a Council held at Fort George in Newyork, Septem^r ye 2^d, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

Doctor COLDEN,
M^r ALEXANDER.

Ordered, that M^r Van Dam, M^r Barberie, and Doctor Colden be a select Committee to Join a Committee of the Assembly in Examining the Accounts of Coll David Provost late Tonnage Officer.

Ordered, that M^r Robin the Deputy Clerk of the Council do Acquaint the Assembly that this Board desires them to appoint a Committee of that House to Join a Committee of this Board for that purpose at the House of M^r Bonticow in this City at four in the afternoon on Thursday come seven night.

At a Council held at Fort George in Newyork, Septem^r the 15th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq; &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r MORRIS, Jun^r,
M^r WILLIAM PROVOOST.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency desires their immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency made to them a Speech in *Hac Verba*.

Gentlemen,

I cannot but look back with Pleasure on your Conduct ever since I have had the happiness to be among you.

Your readiness to Support the Government in an honourable manner, your Repeated endeavours to prevent the Growth of the French Power and to Strengthen the British Interest among the Indians and your Seasonable Supplis for the Repairs of his M^{ty}s florts will always be remembred to the honour of this Assembly, If you have sometimes met with opposition it has had little other Effect then to Justifye your Proceedings A late Instance of this kind has appeared in the unwearied and I wish I could not say Indirect methods taken by the Merchants to defeat your Acts against the Trade with Canada but by the Diligence and ability of your Agents the Justice of your Laws has been so well Represented that the success has been in your favour.

It is now more and more Evident every year of how great advantage these Laws have been to the Trade and Security of this Province.

The Quantity of Peltry brought from the Country of the Five Nations during this Summer has far Exceeded our Expectations and is more then what used to come from Canada and the Far Indians from the Lakes have as I am Informed all stopped at our Trading places and none of them proceeded to Monreall as they used to do. I am Confident that Surprising Success and good Effect of this new Trade and the applause it has met with in Great Britain will Engage you to take Effectual Measures to Encourage it by renewing and Enforcing the prohibition of that pernicious Trade of Indian Goods to Canada and by providing amply for the charges necessary to keep the Indians flaitfull to us, To this End it will be Requisite that some fit persons be appointed constantly to reside among the Onondages as well as the Sinnekas who may be always ready to defeat the Acts which the French industriously imploy to seduce those Indians. I have begun with this Subject and Dwelt the Longer upon it because it highly Concerns your Safety.

The Revenue for the Support of this Government is near its Expiration I depend on your own Observation and Experience to plead with you for as Ample and Extensive a provision for the time to Come.

Where Actions ought to Speak words should not be offered, I shall only recommend the Officers of the Government to your Care who in doing their Duty are often Lyable to private resentments and are on that Account Entitled to protection as well as Subsistance from the Legislature and without a Sufficient number of Officers the administration Cannot be Carried on and the Laws must loose their Force.

The Provision you have already made for renewing the Decayed Buildings of the Fort will I believe appear to you to have been flrugally and Effectually Employed and I depend on your Coming to a Resolution that So good a design shall not flail of what is Still wanting to Compleat it.

I Cannot Acquaint you with a Further Instance besides what I have mentioned of the Diligence of your Agents in the Service of the Province and particularly for the benefit of this City and that is the Soliciting by my directions and obtaining the East End of Long Island to be restored to the District of the Collector of New York.

You Cannot desire more Convincing Proofs of the Usefullness of having Such Agents and therefore I rely on your making good your flormer Engagements to them and on your giving them marks of your Esteem and Confidence in Continuing their appointment for a Longer time than you have hitherto done and providing Suitably for their payment.

I have now gone thro' the Several Particulars which I had to Lay before you and I shall only add this General Consideration to Enforce them all.

That at this time the happy Agreement that has always Subsisted between his Majesty and his parliament Ever since his Accession to the Crown is the Admiration of all Europe and the Glory of the British Nation I am perswaded you will do your part in flollowing so great an Example and that you will regard what I propose to you only as it Tends to his Majestys Service.

At a Council held at Fort George in New York, September 29th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r HARISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r WILLIAM PROVOOST.

The Report of the Gentlemen of the Committee appointed to Join a Committee of the Assembly to Examine the Accounts of Coll. David Provoost the Late Tonnage Officer deceased that they have according to order in Conjunction with a Committee of the Assembly Examined the Said Accounts of the Dutys of Tonnage and Negros, from the 15th of June 1714 to the 16th of December 1724 and Compared the Same with the Books of Accounts of the said David Provoost and Treasurers Receipts for the Sums paid to the Treasurer and find by the Said Accounts that the Amount of Duty during the Same time amounts to nine Thousand Six hundred ninety nine pounds and five shillings including the outstanding Debts, And that the Amount of the money paid to the Treasurer and the Said Officers Salary Amounts to nine Thousand two hundred and Seven pounds Eighteen Shillings and eleven pence from which accounts it appears that the Ballance in Favour of the Government amounts to Four hundred Twenty one Pounds Six Shillings and one penny of which Sum the Executors of the said David Provoost have given in an account of Two hundred Forty Eight Pounds fifteen Shillings and nine pence Debts outstanding Whether all these Debts be really due from the partys charged with them or they be Solvent they have not Enquired but refer the Same to this Board, for such orders as this Board Shall think proper to make thereupon

The Committee also find a charge in the said Coll David Provoosts Books of Twenty three pounds Eight Shillings and six pence for a Journey of the said Tonnage Officer to the East End of Long Island for Collecting the Dutys of several Negros Landed there, which they think reasonable to be allowed to the Executors of the said David Provoost though not charged in the said General account.

Which was read and agreed to by the Board.

Ordered, that the Executors of the said Coll David Provoost deceased do lay before this Board An Account of the Debts due on the Duty of Tonnage of Vessells and Slaves and the Book or Books in which the same are Entred

At a Council held at Fort George in Newyork, October the 14th, 1724 (sic) .

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,
M^r HARISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r ABRAHAM VAN HORNE.

Then Cap^t Walter and M^r Harison withdrew.

A Message from the Assembly by M^r Beekman with the Bill Entituled, An Act appointing Commissioners to Let to Farm the Excise of Strong Liquors in the Citys and Countys in this Colony and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the First time

Then the said Bill was read the First time and

Ordered a second reading.

A Message from the Assembly by Captain Jansen with the Bill Entituled, An Act for the Discharging a certain Recognizance Entred into by Goosen Vausehaick late of the City of Albany deceased. And desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the First time.

Then the said Bill was read the First time and

Ordered a second reading

At a Council held at Fort George in New York, October the 19th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr ABRAHAM VAN HORNE,
Mr PHILIP LIVINGSTON.

The Bill Entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony, Was read the second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act For the discharging a certain Recognizance Entred into by Goose Vauschaick late of the City of Albany Was read the second time and Committed to the Gentlemen of this Board or any five of them.

At a Council held at Fort George in New York, October the 27th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Mr VAN DAM,

Mr HARRISON,
Mr ALEXANDER.

Ordered, that the Deputy Secretary do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber.

The Assembly attending accordingly with their Speaker his Excellency made a Speech to them in *Hec Verba*.

Gentlemen,

I have put an End to the Last Session that I might have a fresh opportunity of recommending to you to Provide as Honourable and Ample a Supply for the Support of this Government and for as Long a Term as was Established upon my arrival.

It has not been Pretended that any Inconveniency has arisen from the Confidence you then Express in the Administration and therefore I cannot in Duty to his Majesty and in Justice to my own Conduct agree to a Less Sufficient Provision or for a Shorter Term.

The administration of Justice will require the same Encouragement and the Collection of the Revenue the same Officers; without such necessary Precautions there will be great deficiencies and the Burthen must at Last fall upon the Land.

If there are any Laws formerly Passed in this Province which you are desirous to have now Confirmed by his Majesty the Agents only want your Instructions to solicit for them and I shall very readily Join my hearty Endeavours to obtain whatever will be to your satisfaction.

I have Express my Self fully as to all other matters in my Last Speech to which I referr and I desire you to take it again into your Consideration and to proceed with that dispatch which the Season of the year requires.

At a Council held at Fort George in New York, Novemb^r ye 2^d, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr MORRIS, Jun^r,
Mr PH: LIVINGSTON.

A Message from the Assembly by Mr Beckman with the Bill Entituled, An Act appointing Comm^{rs} to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was Read the first time and

Ordered a second reading

A Message from the Assembly by Alderman Kip with the Bill Entituled, An Act for continuing Bills of Credit struck and Issued in the year one Thousand seven hundred and Twenty to the value of five Thousand ounces of plate to be current untill the first day of July which will be in the year one Thousand seven hundred and Twenty seven and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading.

A Message from the Assembly by M^r Jansen with the Bill Entitled, An Act for the Discharging a certain Recognizance Entered into by Goosen Vanschaick late of the City of Albany deceased and Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, Novem^r the 4th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,

M^r CLARKE,

M^r BARBERIE,

M^r HARRISON,

Doctor COLDEN,

M^r ALEXANDER,

M^r MORRIS Jun^r,

M^r ABRAHAM VAN HORNE.

The Bill Entitled, An Act appointing Comm^{rs} to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony Was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for Continuing Bills of Credit struck and Issued in the year One Thousand Seven hundred and Twenty to the Value of five Thousand Ounces of plate to be Current untill the first day of July which will be in the year of our Lord One Thousand Seven hundred and Twenty Seven Was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for Discharging a certain Recognizance Entred into by Goosen Vanschaick late of the City of Albany deceased Was read the Second time and Committed to the Gentlemen of this Board or any five of them

His Excellency withdrawing The Gentlemen Resolved into a Committee.

Post Meridiem

PRESENT as before

M^r Barberie Chairman of the Committee to whom was Committed the Bill Entitled the following Bills Viz^t An Act appointing Comm^{rs} to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony. A Bill Entitled, An Act for Continuing Bills of Credit Struck and Issued in the year One Thousand Seven hundred Twenty to the Value of five thousand Ounces of plate to be Current untill the first day of July which will be in the year One Thousand Seven hundred and Twenty Seven And the Bill Entitled, An Act for discharging a Certain Recognizance Entred into by Goosen Vanschaick late of the City of Albany deceased, Acquainted the Board that the Committee had Considered of the Said Bills and were ready to make their Report when this Board would please to receive the Same.

Ordered, that the Said Report be made Immediately

Then M^r Barberie in his place Reported that the Said Committee had gone thro' the Said Bills without any Amendments.

Ordered, that the Said Bills be read the third time

Then the Said Bills was read the third time

Ordered, that the Said Bills do pass without Amendments.

Ordered, that M^r Barberie do Acquaint the house of Representatives that this Board has past the Said Bills without Amendments.

At a Council held at Fort George in New York, Novem^r y^e 8th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

M^r BARBERIE,

M^r CLARKE,

M^r HARRISON,

Doctor COLDEN,

M^r ALEXANDER,

M^r MORRIS, Jun^r,

M^r ABRAHAM VAN HORNE.

A Message from the Assembly with the Bill Entitled, An Act to Revive and Continue the Several Acts therein mentioned relating to the prohibiting of Selling Indian Goods to the

French and for promoting the Trade with the Remote Nations of Indians during the time thereinmentioned and for the Recovery of Such penaltys as are directed by the Said Acts and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading.

At a Council held at Fort George in New York, November the 9th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

Doctor COLDEN,
M^r ABRAHAM VAN HORNE.

The Bill Entituled, An Act to Revive and Continue the Several Acts thereinmentioned relating to the prohibiting of Selling Indians to the French and for promoting the Trade with the Remote Nations of Indians during the time thereinmentioned and for the Recovery of Such penaltys as are directed by the Said Acts.

Ordered, that the Said Bill be read the Second time.

Then the Said Bill was read the Second time and Committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing The Gentlemen Resolved into a Committee

Post Meridiem

PRESENT as Before

M^r Vanhorne Chairman of the Committee to whom the said Bill was Committed acquainted the Board that the Committee had considered of the said Bill and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made Immediately.

Then M^r Vanhorne in his place reported that the said Committee had gone thro' the the said Bills without any Amendments

Ordered, that the said Bill be read the third time.

Then the said Bill was read the third time and past without Amendm^{ts}.

Ordered, that M^r Vanhorne do acquaint the House of Representatives that this Board has past the said Bills without any Amendments.

At a Council held at Fort George in Newyork, Novem^r 10th, 1725.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor COLDEN,
M^r ABRAHAM VAN HORNE.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that *his Excellency* requires their immediate attendance at the Council Chamber.

The Assembly accordingly Attending with their Speaker *his Excellency* gave his Assent to the following Acts Enacting the same and Ordered them to be Enrolled viz^t

1st An Act appointing Comm^{rs} to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony.

2^d An Act for Continuing Bills of Credit struck and Issued in the year One Thousand seven hundred and Twenty to the Value of five Thousand Ounces of plate to be Current untill the first day of July which will be in the year One Thousand seven hundred & Twenty seven.

3^d An Act to Revive and Continue the several Acts thereinmentioned relating to the prohibiting of selling Indian Goods to the French and for promoting the Trade with the Remote nations of Indians during the time thereinmentioned and for the Recovery of such penaltys as are Directed by the said Acts.

4th An Act for Discharging a Certain Recognizance Entred into by Gosen Vanschaick late of the City of Albany deceased

Then *his Excellency* desired the Assembly to adjourn themselves to the second Tuesday of March next.

[N. Y. Col. MSS. LXVII., 91.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of
(L. S.) New-York New-Jersey and Territories thereon Depending in *America* and Vice
Admiral of the Same &c^a.

A PROCLAMATION.

WHEREAS the General Assembly of the Province of New-York stands Adjourned to the second Tuesday of March next, I have thought fit for his Majestys Service, and by Virtue of the Powers and Authoritys to me given by his Majesty's Letters Patents under the Great Seal of *Great-Britain* further to Adjourn the said General Assembly until the *first Tuesday* of *April* next to come, And I do hereby accordingly adjourn the said General Assembly until the *first Tuesday* of *April* next to come, of which all his Majestys Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and seal at arms at Fort George in *New York* the *twenty second* day of *January* in the twelfth year of his Majestys Reign Annoq
Domini 1725^c

By his Excellency's Command

Is ROBIN D Sécry

W. BURNET

God save the KING

SEVENTEENTH ASSEMBLY FIFTEENTH SESSION.

At a Council held at Fort George in New York, April the 6th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
M^r ABR. VAN HORNE,

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their Immediate attendance at the Council Chamber.

The Assembly accordingly attending with their Speaker his Excell^y made a Speech to them in *Ille Verbu*

Gentlemen,

I can never begin with a Subject more worthy of your attention than the admirable effects of the uninterrupted Harmony that Subsists between our most gracious Sovereign and his parliament Our Enemys have had no other hopes but from their unwearied artifices and even popular pretences to weaken this mutual Confidence, but without effect, and this happy union it is that renders Great Britain, a pattron to all Europe in time of peace and lodges the Ballance of power in its hands in case of a Warr.

Tho' you cannot Equall his Majestys Subjects at home in ability to serve him yet I am perswaded that you will not yeild to any in Loyalty and Inclination

The great and Constant Charge at which Great Britain Maintains floeces for the Defence of this province in a more Eminent manner than any of the Neighbouring Provinces partake of as it is a very Distinguishing mark of his Majestys Royal Care so it calls upon you to make the most natural returns for so singular a favour by Providing Honourably and amply for the Support of his Government here, and since the sums which you have usually raised for that purpose have not amounted to any thing near to so much as those Issued from Great Britain for your security, It should Induce you rather to think of Encreasing than Lessening your Supply and rather of Extending than of Shortening the time of its Continuance and as no Occasion has been given to alter your former good opinion of the administration, I have reason to depend on

your providing in the most hearty and Effectnall manner for the Support of it, in all its Branches.

I wish I could say the Laws for promoting a Trade with the far Indians and prohibiting it with Canada had been as duly Executed as they were well Intended and I leave it to your Consideration whether a method less severe may not be more Effectnall.

The great success we have already had in the Trade upon the River of Onnondage and the Noble spirit that animates the people to go on with it gives us Encouragement to Leave no means untryed to Establish and Increase it.

The only danger we have to apprehend is from the unwearied artifices of the Inhabitants of Canada among our Indians to alienate their affections and particularly to Interrupt this Trade which has put them in great consternation because it is so sure a means to Strengthen our Interest and to weaken theirs with all the Nations of North America

I am sorry to Inform you that they have taken great advantage this Winter of the want of proper persons from this Government residing among the Onnondagas and Sinneecas & have Instilled groundless fears into the minds of the five Nations of Dangers that may arise to them by this open trade with the far Indians which I have done my utmost Endeavour to remove but I am convinced that the most Effectnall means to keep them steady will be your Enabling me to maintain a sufficient Number of fit persons Constantly among them as I have formerly done with good success.

If I am Earnest with you on this head it is your safety & that of your posterity that makes me so ; all that I desire of you is not to be Wanting to your Selves. Your agent who is Ever watchfull in what relates to your Interest has acquainted me by the first opportunity he had that some application had been made at home to your disadvantage which I will communicate to you,

This with many other Instances of his Ability and Diligence will I doubt not Confirm you in the Resolution taken in your last sessions upon that head

I have received a Letter from the Governour of Connecticut about Finishing the partition Line which I will Lay before you that you make provision for so necessary a work.

I need now only remind you that the repairs of the building in the Fort stand in need of your Immediate care that the season proper to finish them may not be Lost.

I have no greater pleasure than in Contributeing to the publick service and if there are any new Laws wanting to that End or any former Laws that you are desirous to have recommended for his Majestys Confirmation you may depend on my readiness and zeal to Join with you in that or anything Else that can make this Province happy and flourishing.

At a Council held at Fort George in Newyork, April the 15th, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
M^r. VAN DAM,
M^r BARBERIE,

M^r. HARISON,
Doctor COLDEX,
M^r ALEXANDER.

The Assembly attending with their Speaker made an Address to his Excellency in these words

To his Excellency WILLIAM BURNET Esq^r Cap^t General & Governour in Chief of the Provinces of New York, New Jersey and Territories thereon Depending in America and Vice Admiral of the same &c^a

The humble ADDRESS of the General Assembly for the Colony of New York

May it please yo^r Excellency,

We his Majestys Loyal and Dutifull Subjects the General Assembly of this his Colony of New York return your Excellency our hearty thanks for your kind & obliging Speech to us

We observe with pleasure that Constant Harmony which subsists between his Majesty and his British parliament and hope all Endeavours to Lessen that Mutual Confidence will always prove ineffectnall and all attempts of the Enemy's of the publick peace vain.

Our Inclinations to save and promote the Interest of his Majesty (The Best of Princes) are as strong as those of any of his Subjects, tho' our Ability are not Equally sufficient but these shall be Exerted to the utmost of our power by providing an Honourable Support for his Government here, in such manner as shall be most suitable to the Circumstances of this Colony.

The other matters recommended by your Excellency shall in the course of our proceedings have their due weight and our Endeavours shall not be wanting for the publick service

By order of the Gen^l Assembly

Die Ven 15th April, 1726
G Ludlow Cl:

AD PEARSE Speaker

Then his Excellency made the following answer in these words

Gentlemen,

I heartily thank you for this Affectionate Address I will not neglect this opportunity to acquaint you that a Report has been spread about the Country that the money to be raised for the Support of Government is to be applied to my Private use and in case of my death or Removal to go to my Executors which if it should happen would put the Government to a double Expence. As you know that this is Intirely false and groundless, I depend on your Joining with me on all proper Occasions to undeceive those that may be deluded by it

W BURNET

At a Council held at Fort George in Newyork, April the 20th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARISON,

Doctor COLDEN,
Mr ALEXANDER.

A Message from the Assembly by Alderman Kip with the Bill Entituled, An Act to Enable Lewis Hector Piot DeLangloiserie, to the Sole Fishery of Porpoises in the Province of Newyork during the Term of Ten years and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

At a Council held at Fort George in Newyork, April the 21st, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Mr BARBERIE,
Mr HARISON,

Doctor COLDEN,
Mr ALEXANDER.

The Bill Intitled, An Act to Intitle Lewis Hector Piot De Langloserie to the Sole Fishery of Porpoises in the province of Newyork, was read the Second time, and the petitioner for the Bill having this day obtained his Majestys Lycense and Grant of the Said fishery under the Great Seal of this province

Ordered, that it be Committed to the Gentlemen of this Board or any five of them

His Excell^y withdrawing The Gentlemen of the Board Resolved into a Committee.

His Excell^y returning to the Council Chamber took his place.

Then Mr Alexander Reported from the Committee to whom was Committed the Bill Entituled, An Act to Intitle Lewis Hector Piot De Langloiserie to the Sole Fishery of Porpoises in the Province of Newyork during the Term of Ten Years, that the Committee had Considered of the Said Bills and Was ready to make their Report when this Board would please to receive the Same.

Ordered, that the Said Report be made Immediately

Then Mr Alexander in his place Reported that the Committee had gone through the Said Bill and Agreed to the Same without Amendm^{ts}

Ordered, that Mr Alexander do Acquaint the House of Representatives that this Board has past the Said Bill without any Amendm^{ts}

At a Council held at Fort George in New York, April the 28th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
Mr VAN DAM,
Mr BARBERIE,

Mr HARISON,
Doctor COLDEN,
Mr ABRAH. VAN HORNE.

A Message from the Assembly by Mr Hutchinson with the Bill Entituled, An Act to Continue An Act Entituled, An Act for the further laying out Regulating and better Clearing publick

highways in the County of Suffolk for the time thereinmentioned & desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

The Bill Entitled, An Act to Continue An Act Entitled, An Act for the further laying out, Regulating and better clearing publick highways in the County of Suffolk for the time thereinmentioned Was read the Second time and committed to the Gentlemen of the Board or any five of them

At a Council held at Fort George in New York, May the 18th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,

M^r VAN DAM,

M^r BARBERIE,

M^r HARRISON,

Doctor COLDEN.

A Message from the Assembly by Coll. Hicks with the Bill Entitled, An Act for the Encouraging of the returning of Neat Cattle and Sheep to their owners and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Cap^t Hicks with the Bill Entitled, An Act for reviving and continuing An Act to prevent Small Stallions runing at large and to geld all horses under the size thereinmentioned and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by M^r Beckman with the Bill Entitled, An Act for the further continuing An Act Entitled, An Act for the Encouraging of Whaleing and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

Post Meridiem

PRESENT as before

The Bill Entitled, An Act for reviving An Act Entitled, An Act for Encouraging the returning of Neat Cattle and Sheep to their Owners, was read the Second time and committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for reviving An Act Entitled, An Act to prevent Small Stallions runing at large and to geld all horses under the size thereinmentioned, was read the Second time and committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act for the Encouragement of Whaleing, was read the Second time and committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, the 23^d day of May, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,

M^r VAN DAM,

M^r BARBERIE,

M^r CLARKE,

M^r HARRISON,

Doctor COLDEN.

M^r Barberie in his place Reported from the Committee to whom was Committed the three following Bills viz^t the Bill Entitled, An Act to Continue an Act Entitled, An Act for the further Laying out regulating and better clearing publick highways in the County of Suffolk for the time thereinmentioned The Bill Entitled, An Act for reviving An Act Entitled, An Act for Encouraging the returning of neat Cattle and Sheep to their owners and An Act for the

Encourag^d of Whaling, that they had considered of the said three Bills and was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made Immediately

Then Mr Barberie in his place reported that the said Committee had gone thro' the said Bills & agreed to the same without Amendments

Ordered, that the said Bills be read the third time

Then the said Bills was read the third time

Ordered, that the said Bills do pass without Amendments

Ordered, that Mr Barberie do acquaint the House of Representatives that this Board has past the said Bills without Amendments.

Mr Barberie in his place likewise Reported from the said Committee that they had gone through the Bill Entituled, An Act for reviving An Act to prevent small Stallions ruⁿing at Large and to geld all horses under the size thereinmentioned, that they had gone thro' the said Bill and made the following additions thereto viz^t After the word—mentioned in the title of the said Bill add these words [and for Continuing An Act Entituled, An Act to prevent Tenants of all kinds from committing Waste and Trespasses on Lands in their Tenure or possession and for punishing all such other persons as by Water or Land shall aid and abet therein and for preventing diverse other Enormitys exceeding hurtfull to the growing settlements and plantations in the Countys of Orange and Ulster & for Laying out and maintaining a high road within the same

Between the word [there] and the word [from] in the 9th Line add these words [as likewise one other Act Entituled, An Act to prevent Tenants of all kinds from committing waste and Trespasses on Lands in their Tenure or Possession and for punishing all such other persons as by Water or Land shall aid and abet therein and for preventing diverse other Enormities Exceeding hurtfull to the growing settlements and plantations in the Countys of Orange and Ulster and for Laying out and maintaining a high road within the same, passed the twenty fourth day of July in the year of our Lord One Thousand seven hundred and Twenty four and in the tenth year of the reign of his Maty King George shall continue in force.

Ordered, that the said Bill be read the third time with the additions made thereto.

Then the said Bill with the additions made thereto was read the third time and agreed to by the Board.

Ordered, that Mr Barberie do carry the said Bill with the additions made thereto to the House of Representatives and desire their concurrence to the same.

A Message from the Assembly by the Mayors of Newyork and Albany with the Bill Entituled, An Act granting to his Majesty the Dutys and Taxes thereinmentioned for supporting his Govern^{mt} in the Colony of Newyork from the first day of July 1726 to the first day of July 1729 and desiring the concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time And

Ordered a Second reading

At a Council held at Fort George in New York, May the 24th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Mr BARBERIE,
Mr CLARKE,

Mr HARRISON,
Doctor GOLDEN.

The Bill Entituled, An Act granting to his Majesty the Dutys & Taxes thereinmentioned for Supporting his Government in the Colony of Newyork from the 1st day of July 1726 to the 1st day of July 1729, was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Petition of Walter Dongan Surviving Kinsman of Thomas late Earl of Lymerick Setting forth that Intending to Apply for An Act of General Assembly of this province to dispose of Some parts of Certain Lands in the County of Richmond and Queens County as well for the Discharge of Incumbrances wherewith the Same Lands now Stand Charged as for payment of his Debts and the Debts of his Deceased brother Thomas Dongan and that he had in pursuance of An Instruction from the Regency in his Majestys Name to his Excellency dated at Whitehall the 23^d day of July 1723 given due notice of his Intentions to apply for Such an Act Therefore prays that the Said Notifications & Affidavits by which it will appear that he hath fully Complied with the Said Instruction may be read, and that his Excellency may be induced to give his Assent to a Bill to be brought into the hon^{ble} House of Representatives for the Ends Aforesaid, Was read, as likewise the Notifications and Affidavits thereupon which follow in these words:

ADVERTISEMENT

This is to Give Notice that Walter Dongan of this County of Richmond Intends to apply to the honourable House of Representatives of this province of New York for An Act of Assembly of this province to enable him the Said Walter to Sell Some parts of Certain Lands in this County and other parts of this province formerly belonging to the late Earl of Lynmerick and by him in his Life time Settled in tail male Jointly upon John and Thomas Dongan in their Lives and the Said Walter With Cross remainders to the Longest Liver of them &c^a Whereof all manner of persons any ways Concerned are hereby desired to take notice

WALTER DONGAN

Richmond County
March the 22^d 1726

RICHMOND COUNTY ss: *May the 21st 1726*

Then appeared before me Vincent Fountain Esq^r One of his Majestys Justices of the Peace for the Said County John Doyle of full age who being Deposed on the holy Evangelists of Almighty God Sayth that the within Writing is a true and Exact Copy and that two Several Advertisements or Notifications each of which being Exactly answerable and agreeable to the Said Copy were Sett up and affixed at the request of the within named Walter Dongan by this Deponent at the Severall Churches here named, that is to Say at the parish Church of St Andrew and at the Dutch Church both within this County and this Deponent likewise Sayth that he Set up and Affixed one other advertisement at the French Church in this County also, Exactly agreeable to the Said within Copy Excepting only that instead of those words in the Copy Viz^t (in this County and other parts of this province) in the Sixth and Seventh Lines thereof, these words were inserted in the Said Advertisement, Set up at the French Church viz^t [in this County of Richmond and in Queens County upon Long Island in Said province] and further this Deponent Sayth that he See on three Severall Sundays Successively now past the three Severall Notifications or advertisements aforesaid at the said Several Churches So Set up and affixed there by him as aforesaid and further this Deponent Sayth not

JN^o DOYLE

Jurat Coram me
Anno, Dieq Supra Dictis
 Vincent Fountain

ADVERTISEMENT

Walter Dongan of the County of Richmond Intends to apply to the honourable House of Representatives of this province to enable him the said Walter to sell some parts of certain Lands in this County and other parts of this province formerly belonging to the Late Earl of Lynmerick and by him in his Life time settled in tail mail Jointly upon John and Thomas Dongan in their Lives and the said Walter with cross remainders to the Longest Liver of them &c^a whereof all manner of persons any ways concerned are hereby desired to take notice

WALTER DONGAN

Queens County
March the 22^d 1726

Queens County May the 20th 1726

Then appeared before me Isaac Hicks Esq^r one of his Majestys Justices of the peace for the said County Richard Comes of full age who maketh oath and sayth that within writing is a true copy and that three several advertisements or notifications each of which being truly answerable and agreeable to the said Copy were set up and affixed at the request of the within mentioned Walter Dongan by this Deponent at three severall parish churches here mentioned (that is to say) at Hempstead church at Flushing church and at the church of Jamaica all within this County and further this Deponent sayth that he has seen and read three severall Sundays successively now past the said three several notifications at the said churches so set up there as aforesaid and further sayth not

RICHARD COMES

Jurat Coram me
Anno Dieque Sup Dictis
 Isaac Hicks

Mr John Doyle being called in did declare upon Oath before the Board that three several advertisements or notifications each of which being exactly answerable and agreeable in substance to the Copy now shewn him were set up and affixed at the request of the aforesaid Walter Dongan by the Deponent at the several churches as set forth in his affidavit and that he had seen the said severall advertisements three Sundays Successively at the several churches mentioned in the said affidavit and placed in such publick manner as they might be easily read by a person as pleased.

Whereupon it is the opinion of this Board that the said Notices are agreeable to the Intent and meaning of the said Instruction.

Post Meridiem

PRESENT as before

Mr Harison in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act, granting to his Majesty the Dutys & Taxes thereinmentioned for supporting his Government in the Colony of Newyork from the first of July 1726 to the first day of July 1729, that they had gone thro' the said Bill & was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Harison in his place Reported that they had gone through the said Bill & agreed to the same without amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time

Ordered, that the said Bill do pass without Amendments

Ordered, that Mr Harison do Acquaint the House of Representatives that this Board has past the said Bill without Amendments

At a Council held at Fort George in New York, June the 7th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c.,

Cap^t WALTER,
Mr BARBERIE,
Mr HARISON,

Mr ALEXANDER,
Mr WILLIAM PROVOOST.

A Message from the Assembly by Coll Lewis with the Bill Entituled, An Act to prevent small Stallions running at Large and to geld all horses under the size thereinmentioned acquainting this Board that they had agreed to the Additions made to the said Bill and that they had made an Amendment to the said Bill viz^t in the Last Line of the Bill after the word [the] and before the word Act leave out the word [sayd] and in lieu thereof insert the words [first mentioned] and to which they desire the concurrence of this Board which was agreed to by the Board and Ordered to be Engrossed accordingly

Ordered, that Mr Barberie do acquaint the House of Representatives of the same

A Message from the Assembly by Coll Hicks with the Bill Entituled, An Act for Discharging a Debt to the late Agents for this Colony at the Court of Great Britain for finishing and compleating the buildings in his Majestys Fort George for borrowing certain sums for those purposes out of the funds thereinmentioned and for Laying a Tax to make good such parts thereof as stand appropriated to particular uses and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading.

A Message from the Assembly by Cap^t Vanhorne with the Bill Entituled, An Act for reviving An Act Entituled, An Act for regulating the Ferry between the City of Newyork and the Island Nassaw and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly with the Bill Entituled, An Act for Naturalizing Peter Delagge, John Zenger, Paulus De Seer. Nicholas Jaboien, Abraham Rodrigos Rivera, Abraham Careus, Nicholas Van Taerlingh, Matthias Borrell, Johannes Lashier, Louis Sacombell, Marianne the Wife of Daniel Bonticow, Pierre Elizee Gallandet, John Dragoud, Michell Berthon, William Crolges, Jean Ballereau, the wife of James Ballereau, and Gerrit Cornelisen, and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

Ordered, that Mr Bobin do acquaint the House of Representatives that Doctor Colden being out of Town Mr Harison is appointed by this Board to Examine and compare the Acts of the General Assembly of this province passed the 3^d 4th 5th 6th & 7th Sessions of Assembly since his Excellenys Arrival with the Enrolement thereof and to desire that house to appoint one of the members of this City to Join therein after the recess of this Sessions.

At a Council held at Fort George in New York, June the 8th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr BARBERIE,
Mr HARRISON,

Mr ALEXANDER,
Mr W^m PROVOOST.

The Bill Entitled, An Act for Discharging a Debt to the late Agents for this Colony at the Court of Great Britain for finishing and Compleating the buildings in his Majestys Fort George for borrowing certain sums for those purposes out of the Fonds thereinmentioned and for Laying a Tax to make good such parts thereof as stand appropriated to particular uses was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for reviving An Act Entitled, An Act for regulating the ferry between the City of Newyork and the Island Nassaw was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for naturalizing John Zenger, Paulus De Seer, Nicholas Jaboien, Abraham Rodrigo Rivera, Abraham Carcas, Nicholas Van Taerlingh and others was read the Second time and committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by Mr Hansen with the Bill Entitled, An Act to prevent Damages done by Swine in the neighbourhood of Surotoga and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading.

The Petition of Thomas Hicks setting forth that Major Daniel Whitehead Deceased did by his Will Devise unto Grandson Whitehead Hicks since Deceased Diverse Tracts of Land with in the Township of Flushing in the parish of Jamaica in Queens County but under the Limitation of a General Intail and that the petitioner is Eldest brother and heir of the said Whitehead Hicks to whom the said Tracts of Land Descend in Tail by virtue of the said Devise and that he had in pursuance of an Instruction from the Regency in his Majestys name to his Excellency dated at Whitehall the 23^d of July 1723 given due notice of his Intention to apply for such An Act Therefore prays that the said Notification and Affidavit thereupon may be read by which it will appear he hath fully complied with the said Instruction and that his Excellency may be Induced to give his Assent to a Bill to be brought into the honourable House of Representatives for the Ends aforesaid, was read as likewise the Notifications and affidavits thereupon which follows in these words

ADVERTISEMENT.

These are to give notice to whom it may concern that whereas Major Daniel Whitehead Deceased Did by his Last Will and Testament devise and bequeath unto his Grandson Whitehead Hicks since deceased Diverse Tracts of Land within the Township of Flushing in the parish of Jamaica Being Eleven Lotts of Ten acres each and some other small Parcels but under the Limitation of a General Intail, I the underwritten Thomas Hicks Eldest brother and heir of the said Whitehead Hicks to whom the same Lands are Devolved do design to apply to the Honourable the General Assembly of this Colony of Newyork for the passing of An Act to Cut of the said Intail and that the said Lands may be vested in me in fee simple

T^H HICKS JUN^r

Jamaica the 16th Octo^r 1725

Richard Comes of full age maketh oath on the holy Evangelists of Almighty God sayth that the within notice or publication was standing on the Church Door of the said parish of Jamaica within mentioned three several Sundays and that no objection was ever made against the same in the hearing or presence of this Deponent and further sayth not

RICH^d COMES

Sworn before me this 25th of May 1726

Jonathan Whitehead

Justice

And Mr Clowes being called in did Declare upon oath that some time towards the Latter end of April Last he saw the advertisement now shewn him or a true copy thereof as he verily believes upon a Sabbath day nailed openly on the Door of the Parish Church of Jamaica after which time he went to Orange County in which Journey about nine days Elapsed and that at his return to Jamaica he saw the same Paper (as he believes) still remaining nailed at the same place upon another Sabbath day and he does believe the said paper had there remnined openly fixed during all the time he was absent on his said Journey and further that the said

advertisement is his own handwriting and that he writ the same at the request of the said Thomas Hicks and that the said advertisement was so fixt that any person might read it as pleased

Whereupon It is the opinion of this Board that the said Notice is agreable to the Intent and meaning of the said Instruction

At a Council held at Fort George in New York, June the 9th, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
M^r WILLIAM PROVOOST.

The Bill Entitled, An Act to prevent damages done by Swine in the Neighbourhood of Suratoga—was read the second time & Committed to the Gentlemen of this Board or any five of them

Post Meridiem

PRESENT as before

M^r Harison Reported from the Committee to whom was Committed the following Bills viz^t An Act for discharging a Debt to the late Agents for this Colony at the Court of Great Britain for finishing & compleating the buildings in his Majestys Fort George for borrowing certain sums for those purposes out of the fonds thereinmentioned and for Laying a Tax to make good such parts thereof as stand appropriated to particular uses. The Bill Entitled, An Act for reviving An Act Entitled, An Act for regulating the Ferry between the City of New York & the Island Nassaw. The Bill for Naturalizing Peter De Lagge & others, And the Bill Entitled, An Act to prevent damages done by Swine in the Neighbourhood of Suratoga, that they had gone through the said Bills & was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then M^r Harison in his place Reported that they had agreed to the said Bills without any Amendments

Ordered, that the said Bills be read the third time

Then the said Bills were read the third time &

Ordered, that the said Bills do pass without Amendments.

Ordered, that M^r Harison do acquaint the House of Representatives that this Board has past the said Bills without Amendments.

At a Council held at Fort George in New York, June the 14th, 1726.

PRESENT—

His Excellency WILLIAM BURNET,

M^r VAN DAM,
M^r BARBERIE,
M^r HARISON,

M^r AB: VAN HORNE,
M^W PROVOOST.

A Message from the Assembly by Cap^t Platt with the Bill Entitled, An Act for the more Effectual preservation and Increase of Deer on the Island Nassaw and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time &

Ordered, a second reading

A Message from the Assembly by Cap^t Vanhorne with the Bill Entitled, An Act to provide Able pilots at Sandy hook & for the port of Newyork & desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time &

Ordered, a second reading

A Message from the Assembly by M^r Hansen with the Bill Entitled, An Act to Enable the Justices of the peace of the City & County of Albany who reside within the Township of Schenectady to build stocks & pounds & for Defraying some other Extraordinary Charges during

the time therein mentioned & desiring the concurrence of this Board thereto—Was read the first time &

Ordered, a second reading

A Message from the Assembly by Coll Herring with the Bill Entituled, An Act for repairing the County house & Goal in the County of Orange & desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time &

Ordered, a second reading

A Message from the Assembly by Mr Cuyler with the Bill Entituled An Act to Enable the Mayor Aldermen and Commonalty of the City of Albany to pay for the Materials & Workmanship of two blackhouses & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly by Mr Merrill with the Bill Entituled, An Act to impower & Enable Walter Dongan Surviving Kinsman of Thomas late Earl of Lymerick & two Trustees with him therein nominated to Sell Some part of his Estate for the payment of his Debts & discharging Some Incumbrances wherewith the Said Estate now Stands Charged & desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time.

Then the Said Bill was read the first time and

Ordered, A Second reading

A Message from the Assembly by Coll^o Hicks with the Bill Entituled, An Act to prevent the Seting on fire or burning the old Grass on Hempstead plains & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly by Coll^o Hicks with the Bill Entituled, An Act to Vest in Thomas Hicks of Flushing in Queens County Gentlemen in fee Simple Certain Lotts of Land Whereof he now Stands Seized in the Township of Flushing in the Same County in fee tail & to Enable the Said Thomas to Sell & dispose of the Same & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

Post Meridiem

The Bill Entituled, An Act for the more Effectual preservation & Increase of Deer on the Island Nassaw, was read the Second time & Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to provide Able pilots at Sandy Hook & for the port of Newyork was read the Second time & Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Enable the Justices of the peace for the City & County of Albany who reside within the Township of Schenectady to build Stocks & pounds & for defraying Some Extraordinary Charges during the time therein mentioned, Was read the Second time & Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act for Repairing the County House and Goal in the County of Orange Was Read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Enable the Mayor, Aldermen and Commonalty of Albany to pay for the Materials and Workmanship of two Block houses was Read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Impower and Enable Walter Dongan Surviving Kinsman of Thomas late Earl of Lymerick and two Trustees with him therein Nominated to Sell Some part of his Estate for the payment of his debts, and discharging Some Incumbrances wherewith the Same Estate now Stands Charged, Was Read the Second time and Committed to the Gentlemen of this Board or any five of them.

The Bill Entituled, An Act to prevent the Seting on fire or burning the old Grass on Hempstead plains was read the Second time & Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to vest in Thomas Hicks of Flushing in Queens County Gentleman in fee simple certain Lotts of Land whereof he now stands seized in the Township of Flushing in the same County in the fee tail & to Enable him the said Thomas to sell & dispose of the same—Was read the second time & Committed to the Gentlemen of this Board or any five of them.

1870
The first of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The second of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The third of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The fourth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The fifth of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The sixth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The seventh of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The eighth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The ninth of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The tenth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

At a Council held at Fort George in New York, June the 15th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,
M^r HARISON,

M^r ALEXANDER,
M^r ABRAH VAN HORNE,
M^r W^m PROVOOST.

M^r Alexander in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act for repairing the County house & Goal in the County of Orange that they had gone through the said Bill & was ready to make their Report when this Board would please to receive the same.

Ordered, that the said Report be made immediately.

Then M^r Alexander in his place reported that they had gone through the said Bill & Agreed to the same without Amendments

The Question being Whether the said Bill be read the third time?

It was carryed in the Negative

The Question being further put

Whether the said Bill be rejected?

It was Carryed in the Affirmative

Resolved, That the said Bill be rejected

M^r Alexander in his place Likewise Reported from the said Committee that they had gone through the seven following Bills & was ready to make their Report upon the said Bills when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then M^r Alexander in his place Reported that they had gone thro' the said Bills & agreed to the same without Amendments viz^t The Bill Entituled, An Act for the more Effectual preservation and Increase of Deer on the Island Nassaw. The Bill Entituled, An Act to provide Able pilots at Sandy Hook and for the port of New York. The Bill Entituled, An Act to Enable the Justiers of the peace of the City & County of Albany who reside within the Township of Schenectade to build stocks & pounds, & for Defraying some Extraordinary charges during the time thereinmentioned. The Bill Entituled, An Act to Enable the Mayor Aldermen & Commonalty of the City of Albany to pay for the materials & workmanship of two Block houses The Bill Entituled, An Act to Impower and Enable Walter Dongan surviving Kinsman of Thomas late Earl of Lymerick and two Trustees with him therein nominated to sell some part of his Estate for the payment of his debts and discharging some Incumbrances wherewith the same Estate now stands charged The Bill Entituled, An Act to vest in Thomas Hicks of flushing in Queens County Gentleman in fee simple certain Lotts of Land whereof he now stands seized in the Township of flushing in the same County in feetail and to Enable him the said Thomas to sell and dispose of the same And the Bill Entituled, An Act to prevent the seting on fire or burning the old Grass on Hempstead on Plains

Ordered, that the said Bills be read the third time

Then the said Bills was read the third time

Ordered, that the said Bill do pass without Amendments

Ordered, that M^r Alexander do acquaint the House of Representatives that this Board has past the said Bills without Amendments

Post Meridiem.

PRESENT as before

A Message from the Assembly by Coll Schuyler with the Bill Entituled, An Act to Lay different dutys on the Goods thereinmentioned and for regulating the Indian Trade in the City & County of Albany for the Term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act, and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered, a second reading

A Message from the Assembly by Coll^o Stillwell with the Bill Entituled, An Act for the further continuing the Currency of Bills of Credit struck and Issued in the year 1720 to the value of five thousand ounces of plate untill the first day of July which will be in the year 1728 and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll^o Willett with the Bill Intituled, An Act to continue An Act Entituled, An Act for regulating Slaves and Subject such persons as Trade with them Liable to presentment and prosecution and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the First time and

Ordered a second reading

At a Council held at Fort George in New York, June the 16, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,

M^r BARBERIE,

M^r HARRISON,

M^r ALEXANDER,

M^r W^m PROVOOST.

The Bill Entituled, An Act to lay different dutys on the Goods thereinmentioned and for regulating the Indian Trade in the City and County of Albany for the Term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act, Was read the second time & Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for the further continuing the Currency of Bills of Credit struck & Issued in the year 1720 to the Value of Five thousand Ounces of plate untill the first day of July which will be in the year 1728, Was read the second time & Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to continue An Act Entituled, An Act for regulating Slaves and to Subject such persons as trade with them to a presentment and prosecution, Was read the second time & Committed to the Gentlemen of the Council or any five of them

The Governour withdrawing The Gentlemen resolved into a committee

His Excellency returning to the Council Chamber took his place

Post Meridiem

PRESENT as before

M^r Provoost in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act to lay different dutys on the Goods thereinmentioned and for regulating the Indian trade in the City & County of Albany for the term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then M^r Provoost in his place Reported that they had gone through the said Bill and made the following additions viz^t fol 6 Line the 1st insert the words [nor any] between the words [beforementioned] and the word [Good] fol 7th Line 3^d after the word [aforesaid] add these words viz^t *And the said farmers are hereby required to Grant to such License to every person demanding the same under the penalty of two hundred pounds for every refusal thereof which penalty shall be one half to the person Injured and the rest as other Forfeitures in this Act.*

Ordered, that the said Bill be read the third time with the Amendments

Then the said Bill was read the third time and past as amended.

Ordered, that M^r Provoost do carry the said [Bill] with the Amendments made thereto to the House of Representatives and desire their concurrence to the same

M^r Provoost likewise Reported from the said Committee that they had gone through the following Bills without amendments viz^t the Bill Entituled, An Act for the further continuing the Currency of Bills of Credit Struck and Issued in the year 1720 to the value of Five thousand ounces of plate untill the First day of July which will be in the year 1728 And the Bill Entituled, An Act for regulating Slaves and to Subject such persons as trade with them to a presentment and Prosecution.

Ordered, that M^r Provoost do acquaint the House of Representatives that this Board has past the said Bill without amendments.

Post Meridiem

At a Council held at Fort George in New York, June the 17th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r HARRISON,

M^r ABRAHAM VAN HORNE,
M^r W^m PROVOOST.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their Immediate Attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Acts Enacting the same and ordered them to be Enrolled viz^t

1st An Act granting to his Majesty the Dutys & Taxes thereinmentioned for supporting his Government in the Colony of New York from the first day of July 1726 to the first day of July 1729

2^d An Act for Discharging a Debt to the late Agent for this Colony at the Court of Great Britain for finishing and compleating the buildings in his Majestys Fort George for borrowing certain sums for those purposes out of the funds thereinmentioned and for Laying a Tax to make good such part thereof as stand appropriated to particular uses

3^d An Act to Lay different dutys upon the goods thereinmentioned and for regulating the Indian trade in the City and County of Albany for the term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act.

4th An Act for the further continuing the Currency of Bills of Credit Struck and Issued in the year 1720 to the value of Five thousand ounces of plate untill the 1st day of July 1725

5th An Act to continue An Act Entituled, An Act for the further laying out regulating and better clearing publick highways in the County of Suffolk for the time thereinmentioned

6th An Act for Reviving An Act Entituled, An Act for Encouraging the returning of Neat Cattle & Sheep to their owners

7th An Act for reviving An Act Entituled, An Act to prevent Small Stallions ruining at large and to geld all horses under the Size therein mentioned and for Continuing An Act Entituled, An Act to prevent Tenants of all kinds from Committing waste and Trespases on Lands in their Tenure or possession and for punishing all such other persons as by Water or Land shall aid and abet therein, and for preventing Diverse other Enormities Exceeding hurtfull to the growing Settlements and plantations in the Countys of Orange and Ulster and for laying out and maintaining a high Road within the Same &c^a

8th An Act for the further Continuing An Act Entituled, An Act for the Encouragement of Whaling.

9th An Act for reviving An Act Entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw

10th An Act for Naturalizing Peter De Lage, John Zenger, Paulus Deseer, Nicholas Jaboien, Abraham Rodrigos Rivera, Abraham Carcas, Nicholas Van Taerlingh, Matthias Borrell, Johannes Roorbagh, Johannes Lashier, Louis Sacombell, Marianne the wife of Daniel Bonticow, Pierre Elizee Gallaudet, John Draugaud, Michel Berthom, William Croges, Jean Ballereau the wife of James Ballereau and Garrit Cornelisen.

11th An Act to prevent damages done by Swine in the Neighbourhood of Suratoga.

12th An Act to provide able pilots at Sandy hook and for the port of New York.

13th An Act to Enable the Justices of the peace of the City and County of Albany who reside within the Township of Schenectady to build Stocks and Pounds and for defraying Some Extraordinary Charges during the time thereinmentioned.

14th An Act to Enable the Mayor Aldermen and Commonalty of the City of Albany to pay for the materials and workmanship of two blockhouses

15th An Act to prevent the Seting on fire or burning the old Grass on Hempstead plains

16th An Act to Continue An Act Entituled, An Act for regulating Slaves and to Subject Such persons as Trade with them to a presentment and prosecution.

17th An Act to Intitle Lewis Hector Piot De Langloisere to the Sole Fishery of Porpoises in the province of New York during the term of Ten Years

18th An Act to Impower and Enable Walter Dongan Surviving Kinsman of Thomas late Earl of Lymerick with two Trustees with him therein nominated to Sell Some part of his Estate for the payment of his debts and discharging Some Incumbrances wherewith the Same Estate now Stands Charged.

19th An Act to vest in Thomas Hicks of Flushing in Queens County Gentleman in fee tail certain Lotts of Land whereof he now Stands Seized in the Township of Flushing in the Same County in fee tail and to Enable him the Same Thomas to Sell and dispose of the Same

20th An Act for the more Effectual preservation and Increase of Deer on the Island Nassaw.

Then his Excellency desired the Assembly to adjourn themselves to the Last Tuesday of September next

[N. Y. Col. MSS., LXVII, 118.]

BY HIS EXCELLENCY

WILLIAM BURNET, Esq; Captain General and Governour in Chief of the Provinces of *New-York, New-Jersey*, and the Territories thereon Depending in *America*, and Vice-Admiral of the Same, &c.

A PROCLAMATION.

WHEREAS the General Assembly of the Province of *New-York* Stands adjourned to *Tuesday* the Twenty Seventh of September next, I have thought fit, and by Virtue of the Powers and Authorities to Me given, by His Majesty's Letters Patent under the Great Seal of *Great Britain*, to DISSOLVE the Said General Assembly, and I do hereby Accordingly DISSOLVE the Said General Assembly, Of Which all His Majesty's Subjects are to take Notice, and Govern themselves Accordingly.

Given Under My Hand and Seal at Arms at Fort George in New-York, the Tenth Day of August, in the Thirteenth Year of His Majesty's Reign, Annoq; Dom. 1726.

W. BURNET.

By His Excellencys Command,
Is. BOBIN, D. Secry.

God save the KING.

[IN EXECUTIVE SESSION]

August 11th 1726

Ordered, that Writs forthwith do Issue for the Calling a new Assembly returnable Forty days after the date thereof.

[N. Y. Col. MSS., LXVII, 140.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain Gen^l and Governour in Chief of the Provinces of New-York,
(L s) New-Jersey and the Territories thereon Depending in *America* and Vice Admiral of
the same &c^a

A PROCLAMATION

WHEREAS in pursuance of his Majestys Writts bearing date the Eleventh day of August last for the Electing a New Assembly for the Province of New-York, the Representatives Chosen by Virtue of the said Writts are to be and appear at the City of New-York on *Wednesday* the *twenty first* of this instant, But for as much as his Majesty's Service at this place will prevent my meeting the said Assembly at that time, I have thought fit by Virtue of the Powers and Authoritys to me given by his Majestys Letters Patent under the Great Seal of *Great Britain* to Prorogue the said General Assembly to the *twenty sixth* day of this instant and I do hereby accordingly Prorogue the said General Assembly to the *twenty sixth* day of this instant of which all his Majestys subjects are to take Notice and Govern themselves accordingly.

Given under my hand and seal at Arms at *Albany* the fifteenth day of September
in the Thirteenth year of his Majestys Reign Annoq Domini 1726.

By his Excellencys Command
Is Robin D. Secry.

W. BURNET

God save the KING



[N. Y. Col. MSS., LXVII, 144.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain Gen^l and Gov^r in Chief of the Provinces of New York, New
(L. s.) Jersey and Territories thereon Depending in *America* and Vice Admiral of the
same &c^a

A PROCLAMATION

WHEREAS the General Assembly of the Province of New-York stands Prorogued to this day I have thought fit for his Majestys service and by Virtue of the Powers and Authoritys to me given by his Majestys Letters Patent under the great Seal of *Great Britain* further to Prorogue the said General Assembly until to morrow the *twenty seventh* of this instant September and I do hereby accordingly Prorogue the said General Assembly until to morrow the *twenty seventh* of this instant September of which all his Majestys Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and seal at Arms at Fort George in *New-York* the *twenty sixth* day of *September* in the Thirteenth year of his Majesty Reign Annoq Domini 1726

By his Excellencys Command
Is ROBIN, D Secry

W BURNET

God save the KING.

EIGHTEENTH ASSEMBLY FIRST SESSION.

At a Council held at Fort George in New York, September 27th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Capt^r WALTER,
M^r. VAN DAM,
M^r MORRIS, Jun^r,

M^r ABRAHAM VAN HORNE,
M^r WILLIAM PROVOOST.

His Excellency sent the Deputy Secretary to the Assembly to command their Attendance at the Council Chamber immediately whereupon those that were in Town came and took the Oaths appointed to be taken instead of the oaths of Allegiance and Supremacy and took and subscribed the Test and abjuration oath appointed by Act of parliament to be taken and then his Excellency desired them to return and choose a Speaker to be presented to him

Then they returned and presented Adolph Philipse Esq^r their Speaker whom his Excellency approved of

Then his Excellency made the following Speech

Gentlemen,

The choice which the people of this Province have so lately made of you to Represent them gives me a fresh opportunity of knowing their Sentiments and Inclinations I have always endeavoured to promote their Interest to the utmost of my ability and it will add to my satisfaction to do it in the manner which they themselves desire

When you Inquire into the state of the present Revenue I believe you will find it insufficient to answer the usual Expence for the Support of the Government and considering the flourishing and Increasing condition of the Colony it would be to its dishonour as well disadvantage to lessen the Encouragement that has been given to the necessary Officers of the Government I depend on your readiness to supply this deficiency which will be the most solid and convincing proof of your gratitude to the best of Kings who has shewn during the whole course of his Reign that the consent * Employment of his thoughts and the most Earnest wishes of his heart tend wholly to the securing to His Subjects their Just rights and advantages You need not fear that any of his servants will dare to abuse the confidence reposed [in] them when they must expect that their great neglect of duty or abuse of trust will draw upon them his Just displeasure.

You will find that the supply last provided for finishing the new apartments in the Fort of New York has been employed with the utmost frugality and I hope that by the same management the Repairs of the Roof of the Chappell and the Baracks which are in a condition entirely ruinous will require no very large sum tho' it is plain that the charge of doing it will encrease considerably if its delayed any longer than the next Spring which obliges me to recommend it to your care at present that provision may be made for so presing and necessary a work

I must remind you that your agent continues his watchfulness and diligence over the Interest of the Country tho he has remained a long time without any allowance so generous a conduct on his part will not fail of engaging you to take care that his past Services may not go unrewarded and that so usefull a person may be fixed in your Service and a Setled provision made for his Encouragement

I shall lay before you my Late Conferances with the Six Nations in which I flatter my self that I have contributed not a Little to fix them in their duty to his Majesty their affection to this Government and their Just apprehensions of the ill designs of the People of Canada in fortifying so near to them at *Iagara*. I have sent a fit person to reside among the Sinnekes this Winter who is not permitted to trade and will thereby have the more weight and credit with them. I doubt not of your Joining with me in taking such farther measures as are necessary to make the Six Nations remain an Effectual security to our Frontier the Indefatigable endeavours of the French to employ all possible methods whether of Art or Force to make themselves masters of those nations shew what opinion they have of their Importance and their diligence calls upon us to loose no time and spare no cost in disappointing such dangerous attempts and in doing every thing that may Conduce to our Safety on that side

The Trade on the Onondagos River has encreased considerably and by the best enquiry I could make more of the far Indians have been this Summer than ever before but I must express

to you my concern at the disorderly and fraudulent conduct of some of our own people at that Trading place who have used many of the Indians in an unjust and some times in a violent manner; these abuses if not remedied and prevented in time may give such a disgust to the Indians as to discourage them from continuing to come thither on account of Trade and thereby loose the good effects of what has been so happily begun and carryed on with so much success. I hope you will think of proper expedients to cure this growing evil and among other things I am opinion that if that Trade be confined to a certain place and a fit person appointed to reside there during the season with power to receive Complaints from the Indians and redress their grievances and the Traders obliged to be determined by their Judgment on pain of being fined in case of refusal it might go a great ways to answer the end proposed, I shall very gladly Join with you in this or any other proper measures to encrease and preserve our Interest with the far Nations which this Trade will undoubtedly do when duly regulated. You may depend on my Concurrence to the utmost of my power in any Laws that you shall frame for the publick good and in my hearty endeavours to obtain his Majestys Confirmation of them and of as many of the Laws formerly enacted as you shall desire which will at the same time require the continual solicitation of your Agent at home

And now Gentlemen I have mentioned to you what particulars I had to recommend for the publick Service, I have only to add in general that I hope your present meeting will be an eminent Instance of the good Effects of an Intire Confidence between the Several branches of the Legislature; it would then appear in the clearest light that An Administration is never So Strong and well Supported as by the General voice of the people nor the people ever so well Secured in their Liberty and property as by the Governments being enabled to see the Laws executed

W BURNET.

After which the Speaker desired his Excellency that they may enjoy their usual priviledges which his Excellency granted.

At a Council held at Fort George in New York, September the 29th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r MORRIS, Jun^r,
M^r ABRAH: VAN HORSE,
M^r W^m PROVOOST.

The Assembly attending With their Speaker they made to his Excellency the following Address:

May it please your Excellency

We his Majesties Dutiful and Loyal Subjects the General Assembly of this his Colony of New York do in the most respectfull manner return our hearty thanks to your Excellency for your kind and obliging Speech and take leave to assure you that the Several matters therein recommended to us shall be maturely considered and in the course of our deliberations have their due weight.

We likewise take Leave in behalf of the Frecholders and Freemen of this Colony whom we have the honour to represent to return your Excellency our and their Sincere thanks for your giving them an Opportunity of a free choice of members to Serve in General Assembly which we acknowledge was highly Agreeable to the people and it's owned by most that the Several elections have been performed with us great freedom ease and Impartiality as any within their remembrance, We also gratefully acknowledge the kind Assurances your Excellency is pleased to give us of your ready Concurrence in Any Laws which may be for the publick welfare of the Colony and of Using your hearty endeavours to obtain his Majestys Confirmation of them and we take leave to assure you on our part that in frameing Bills it Shall be our Constant (*sic*) to do the Same in Such Manner as may give no Just Cause for your disapprobation

As we look upon ourselves bound in duty to have equally at heart the Service of his Majesty and the Interest of our Country so we take leave to assure your Excellency that we are met together with a Sincere disposition to makes these good Ends the views and rules of our proceedings and that all the business to come before us shall meet with Such dispatch as the nature and weight thereof will reasonably allow to the end the Country may not be put to the expence of longer Sessions than what are absolutely necessary for the publick Service

We are Sensible that a Mutual Confidence between the Several branches of the Legislature tend very much to the publick [service] and we shall therefore use our utmost endeavours to promote and preserve the Same on all reasonable measures on our parts

Signed by order of the General Assembly

AD PHILPSE Speaker

To which his Excellency was pleased to answer

Gentlemen,

I am very glad to find by this affectionate address that what I have done has been so agreeable to you and the people whom you represent.

I perfectly agree with you in having equally at heart his Majestys service & the Interest of the Country which are inseperable and in making these good ends the rules & views of all my Actions.

At a Council held at Fort George in New York, October the 14th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r MORRIS JUN^r,
M^r ABRA: VAN HORNE.

His Excellency acquainted the Board that yesterday he received An Address from the General Assembly of this Province which was read and is as follows

May it please your Excellency

We the General Assembly of this Colony having taken into mature consideration the state of the present Revenue for Support of Government and the sallarys of the necessary officers thereof Did in the first place enquire how much is arisen by the dutys alone which are Imposed for the said Support and finding the same to have amounted in the first three months ending the first of this Instant to the sum of one thousand two hundred and thirty three pounds Ten shillings and nine pence are humbly of opinion that the said Dutys and Taxes laid by the Act of Support of Government during the term of three years will fully answer to discharge all the Sallarys of the Necessary Officers and all the Contingent Charges and services of the Government as the same were resolved to be provided for by the Late General Assembly on the 12th of May last

And we humbly beg leave to assure your Excellency that if the said duties and Taxes should happen to prove insufficient to discharge the Sallarys and Services aforesaid the General Assembly will chearfully find out ways and means Effectually to make good such deficiency and they conceive on the other hand that if it should exceed such surplus ought to remain in the Treasury towards Support of Governmant after the Expiration of the said three years.

We did in the next place Examin what Provision was agreed and resolved upon by the said General Assembly for the services above mentioned on the Sixteenth day of October last and comparing the same with what they resolved upon the 12th day of May following found but very little difference betwixt them and beg leave to assure your Excellency that having deliberately considered the several particulars thereof we were of opinion that the several Sallarys Contingencies and Services resolved upon the said twelfth day of May are ample and sufficient and that no augmentation ought to be made thereto nor any alteration therein during the said three years

We therefore humbly address your Excellency that no higher or other warrants be issued in Council on Support of Government from the first day of July last and during the three years aforesaid than those particularly expressed in the Resolution Last mentioned that of the one hand no expected deficiencies may happen and of the other a mutual confidence be preserved among the several branches of the Legislature.

By order of the General Assembly.

Die Jovis 13th October 1726

ADOLPH PHILIPSE Speaker.

Ordered, that M^r De Lancey, Coll^o Hicks, Cap^t Rutgers, and Major Philipse or any three of them do wait on his Excellency with the address of the house

By order of the General Assembly

G. LUDLOW Clr.

To which his Excellency made the following answer.

This address being of an Extraordinary nature I intend to Lay it before the Council for their advice upon it.

Ordered, that the said address be Referred to the consideration of the Gentlemen of this Board or any five of them and that they make report thereon to this Board

At a Council held at Fort George in New York, October the 15th, 1726.

PRESENT — *His Excellency* WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r HARISON,
M^r ALEXANDER,
Doctor GOLDEN,

M^r MORRIS, Jun^r,
M^r ABRA VAN HORNE,
M^r W^m PROVOOST.

A Message from the Assembly by Coll^o Schnyler with the Bill Entituled, An Act for explaining An Act of the General Assembly of the province made in the seventh year of his Majestys reign entituled, An Act for regulating Fences in the several Cities and Counties within this province of New York for making the same more beneficial to the Township of Schenectady in the County of Albany and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Captain Glen with the Bill Entituled, An Act to empower the Justices of the peace of the County of Albany living or dwelling in the Township of Schenectady in the said County to regulate the Streets and Highways and to prevent accidents by Fire in the said Town and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading.

At a Council held at Fort George in New York, October the 21st, 1726.

PRESENT — *His Excellency* WILLIAM BURNET, Esq^r,

Captain WALTER,
M^r CLARKE,
M^r HARISON,

Doctor GOLDEN,
M^r ALEXANDER,
M^r W^m PROVOOST.

The Bill Entituled, An Act for Explaining An Act of the General Assembly of this Province made in the seventh year of his Majestys Reign Entituled, An Act for regulating Fences for the several Cities and Counties within this Province of New York for making the same more beneficial to the Township of Schenectady in the County of Albany Was read the Second time and committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Empower the Justices of the Peace in the County of Albany living or dwelling in the Township of Schenectady in the said County to regulate the streets and highways and to prevent accidents in the said Town Was read the Second time and committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act for reviving An Act Entituled, An Act for regulating and returning able and Sufficient Jurors in Tryalls at Law and desiring the Concurrence of this Board thereto.

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

The Report of the Gentlemen of the Council to whom was referred the Address of the General Assembly of the 13th Instant which was read and is as follows

May it please yo^r Excellency

In Obedience to your Excellencys Order in Council to us referring to us the Address of the General Assembly of this Month

We have considered of the Same with the Resolves of that Honourable house on which the Said Address is founded as they appear to us in the Printed votes And we beg leave to observe to your Excellency that Since the Resolution of the Preceeding Assembly of the 12th of May to which the Address refers there has been An Act passed for Support of Government by which Act pursuant to your Excellencys Commission and Instructions your Excellency is Impowered to Issue his Majestys Revenue granted by that Act by your Warrants in Council without any restraint or Limitation whatsoever. And we therefore look upon the Said Address as if the Assembly would by a vote of their house only put a restraint upon your Excellency and Council in the powers given to your Excellency of Issuing all money granted by Act of Assembly with the advice & Consent of the Council by his Majestys Commission which powers are likewise confirmed by the last Revenue Bill.

We are therefore humbly of Opinion that your Excellency is not nor cannot be restrained by any votes or Resolves of the Assembly in the Executing of powers so fully & plainly given to your Excellency

We must take Notice likewise to your Excellency that the Assembly by their Resolves have taken upon themselves to declare what Officers are necessary and what Rewards ought to be given to them for their Service and of Disposing of every Penny of his Majestys Revenue which we think neerly concerns his Majestys Prerogative and may in time give room for Encroachments on the Same

The care of his Majestys Revenue is in a great measure intrusted with us and we therefore Cannot without the greatest concern See any Attempts made thereon. His Majestys Prerogative is an Essential part of our happy Constitution by which the many valuable priviledges of his People are governed to them as well as the Peoples Obedience to their Sovereign and the dependance of this Colony on the Crown of Great Britain is preserved

We are therefore humbly of Opinion that your Excellency Cannot too much guard against the Assemblys Assuiming to themselves any powers by which his Majestys Prerogative the Constitution of this Government and the dependance of this Province on Great Britain may be endangered.

We are unwilling to enter into Disputes of Such Consequences and hope for the future there will be no Occasion for them but we beg leave to Assure your Excellency that we will to the utmost of our Power Assist your Excellency in preventing all attempts of what kind Soever that may have the least appearance of weakening his Majestys Prerogative or altering the Constitution of this Government Which is Submitted to your Excellency by

Your Excellencys most

Obed^t humble Servant

CADWALLADER COLDEN Chairmⁿ

The Bill Entituled, An Act for reviving An Act Entituled, An Act for regulateing and returning Able and Sufficient Jurors in Tryalls at Law, Was Read the second time & Committed to the Gentlemen of the Board or any five of them

At a Council held at Fort George in New York, November the 25th, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

M^r VAN DAM,
M^r HARRISON,
Doctor COLDEN,

M^r ALEXANDER,
M^r PHILIP LIVINGSTON.

M^r Philip Livingston Chairman of the Committee to whom was Committed the following Bills viz^t The Bill Entituled, An Act for explaining An Act of the General Assembly of this province made in the seventh year of his Majestys reign Entituled, An Act for regulateing fences for the several Citys and Counties within this province of New York for the makeing the same more beneficial for the Township of Schenectady in the County of Albany and the Bill Entituled, An Act for regulating and returning able and sufficient Jurors in Tryals at Law, acquainted the Board that the said Committee had considered of the said Bills and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then M^r Livingston in his place Reported that the said Committee had gone through the said Bills without any Amendments

Ordered, that the said Bills be read the third time.

Then the said Bill was read the third time and past without anendments.

Ordered, that M^r Livingston do acquaint the house of Representatives that this Board has past the said Bills without Amendments.

M^r Livingston likewise reported from the same Committee that they had gone through the Bill Entituled, An Act to Impower the Justices of the peace living or dwelling in the Township of Schenectady in the said County to Regulate the streets and highways and to prevent accidents by fire in the said Town and that they had made the following addition thereto viz^t At the end of the Bill add these words—This Act to be in force for the space of two years and from thence to the end of the next Sessions of Assembly and no longer—

Ordered, that the said Bill with the addition made thereto be read the third time.

Then the said Bill was read the third time with the additions thereto

Ordered, that the said Bill do pass with the additions made thereto

Ordered, that M^r Livingston do acquaint the House of Representatives that this Board has past the said Bill with an addition thereto and that he carry the said Bill to the House of Representatives with the said addition and desire their Concurrence to the same.

A Message from the Assembly by Major Symes with the Bill Entituled, An Act for the Easier partition of Lands in Joint Tenancy or in Common and for promoting the Settlement and Improvement thereof and for Confirming former Divisions in the settled Townships of this Colony and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and the Question being put

Whether the said Bill should be read the second time?

It was Carried in the Affirmative

Then the said Bill was read the Second time

Ordered, that the Attorney General and Receiver General have notice that the said Bill is now depending before the Board and that they may have a copy of the said Bill if they desire it.

His Excellency mentioned to the Board that upon the frequent desertion of his Majestys Forces in this province he had desired Mr Harison to bring in a Bill for the prevention thereof.

Whereupon Mr Harison acquainted the Board that he had prepared the same accordingly which was laid before the Board.

Then the Bill Entituled, An Act to prevent Desertion from his Majestys forces in the province of New York was read the first time and

Ordered a second reading.

At a Council held at Fort George in New York, October the 27th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a.,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,
M^r HARISON,

Doctor COLDEN,
M^r ABRAHAM VAN HORNE,
M^r PHILIP LIVINGSTON.

The Bill Entituled, An Act for the Easier partition of Lands in Joint Tenancy or in Common and promoteing the Setling and Improvement and for confirming former Divisions in the Settled Townships of this Colony was read the Second time and Committed to the Gentlemen of this Board or any five of them

Doctor Colden acquainted the Board that his office of Surveyor General gives him frequent opportunities of seeing the grants which were made before the year 1708 of the Large Tracts of Land in Joint or Common Tenancy for which this Bill is principally calculated and of knowing the Disputes and differences that arise about their boundarys and assured the Board that the boundarys of these Grants are very uncertainly expressed and that either no quantity of Land or a Quantity not near to that which many of them claim is Expressed in the said Grants that they all either in part or wholly adjoin to the Lands still in the Crown or to the Lands of the neighbouring Colonys or to small Tracts of particular persons in this province; he further added that as the neighbours adjoining to these great Tracts almost every where complain of the Encroachments of the Grantees of these great Tracts and severall are now at Law in those Disputes there is reason to suspect that they have made or still may make greater encroachments on his Majestys Lands where there is no person so nearly concerned to prevent them as in the other Lands belonging to other persons

He therefore moved in his Majesties behalf that the Committee be directed to add a clause to the said Bill for ascertaining the bounds of the Land granted in Joint or in Common Tenancy before any partition of such Land be made

Whereupon his Excellency put the Question Whether their should be a Direction to the Committee according to that motion or whether it should be referred to the Committee to whom the said Bill is committed.

Resolved, that the said motion be referred.

A Message from the Assembly by Coll^o Schuyler Acquainting this Board that they have agreed to the Additions made to the Bill Entituled, An Act to Impower the Justices of the peace of the County of Albany Living or dwelling in the Township of Schenectady in the Said County to regulate Streets and highways and to prevent accidents by fire in the Said Town

The Bill Entituled, An Act to prevent Desertion from his Majesties Forces in the province of Newyork was read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, October the 29th, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Captain WALTER,
M^r VAN DAM,
M^r BARBERIE,
M^r HARRISON,

Doctor COLDEN,
M^r ALEXANDER,
M^r ABRAHAM VAN HORNE,
M^r PHILIP LIVINGSTON.

M^r Clarke Reported from the Committee to whom was Committed the Bill Entituled, An Act to prevent Desertion from his Majestys Forces in the province of New York that the Committee had Considered of the Said Bill and was ready to make their Report when this Board would please to receive the Same

Ordered, that the Said Report be made Immediately.

Then M^r Clarke in his place Reported that the Committee had gone through the Said Bill without any Amendments

Then the Said Bill was read the third time with the Amendm^{ts} and Agreed unto by the Board

Ordered, that the Said Bill with the Amendments be Engrossed

M^r Clarke likewise Reported from the Said Committee that they had Considered of the Bill Entituled, An Act for the Easier of (*sic*) partition of Lands in Joint Tenancy or in common and for promoting the Settlement and Improvement thereof and was ready to make their report when this Board would please to receive the Same

Ordered, that the Said Report be made Immediately

Then M^r Clarke in his place Reported that the Committee had gone through the Said Bill and made Some Amendments thereto

Then the Said Bill was read with the Amendments made thereto and the Question being put whether the Said [Bill] Should be recommitted it was Carried in the affirmative

Ordered, that the Said Bill be recommitted

M^r Clarke Acquainted the Board that in the time of the Last Assembly Leave was given by this Board for bringing in a Bill for the Ascertainig the rents in this province and that accordingly a Bill was brought in and had a first reading but moved the Board for Leave to bring in a New Bill agreeing in Substance with the former

Ordered, that Leave be given accordingly

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act to Amend the practice and the Law and to regulate the giving Special Bale and desireing the Concurrence of this Board thereto.

Then the Said Bill was read the first time and

Ordered a Second Reading

At a Council held at Fort George in New York, November the 2^d, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

Doctor COLDEN,
M^r ABRAHAM VAN HORNE,
M^r PHILIP LIVINGSTON.

A Message from the Assembly by Captain Hicks with the Bill Entituled, An Act to Encourage the destroying of Foxes and Wild Catts in the County of Queens County within the province of New York and desireing the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by M^r Vanklick with the Bill Entituled, An Act for destroying Wolves in the County of Albany, Dutchess County and Orange County and desireing the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Captain Platt with the Bill Entituled, An Act for striking Bills of Credit to the value of three thousand pounds and puting them into the Treasury to be Exchanged for Shattered Torn and defaced Bills struck and Issued by virtue of the several Acts thereinmentioned and desireing the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

Then Mr Morris Junr took his place

The Bill Entituled, An Act to amend the practice of the Law and to regulate the giving Special Bale was read the second time and Committed to the Gentlemen of the Board or any five of them

The Engrossed Bill Entituled, An Act to Prevent Desertion from his Majesties Forces in the province of New York was read the third time and past

Ordered, that Mr Clarke do carry the said Bill to the Assembly and desire their Concurrence to the same.

Mr Clarke according to the Leave of this Board brought in and laid before the Board the Bill Entituled, An Act for the ascertaining the rents due & payable to his Majesty for some of the Lands formerly granted in this province for which no certain rent hath been reserved in the Grants made of the said Lands

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second Reading

Post Meridiam

PRESENT as before.

Mr Morris Junr from the Committee to whom was Committed the Bill Entituled, An Act for the Easier partition of Lands in Joint Tenancy or in Common and promoting the Settling and Improvement thereof and for confirming former Divisions in the settled Township of this Colony acquainted the Board that the Committee had gone through the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Morris in his place Reported that the Committee had gone through the said Bills and made some Amendments thereto

Then the said Bill was read the Third time as Amended

Ordered, that Mr Morris do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill with the Amendments made thereto and desire their concurrence to the same

Mr Morris further Reported from the said Committee that they had gone through the Bill Entituled, An Act to Amend the Practice of the Law and to regulate the giving Special Bale and that they had made an additional clause thereto

Then the said Bill was read the third time with the additional Clause and

Ordered, that Mr Morris do acquaint the House of Representatives that this Board has past the said Bill with an additional Clause thereto and that he carry the said Bill with the addition made thereto and desire their Concurrence to the same

The Bill Entituled, An Act to Encourage the destroying of Foxes and Wild Cats in the County of Queens County, was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for destroying Wolves in the County of Albany, Dutchess County and Orange County was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for striking Bills of Credit to the value of three thousand pounds and puting them into the Treasury to be Exchanged for Shattered Torn and defaced Bills struck and Issued by virtue of the several Acts therein mentioned was read the second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, November the third, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
Mr VAN DAM,
Mr CLARKE,

Mr HARISON,
Mr ABRAH. VAN HORNE,
Mr PHILIP LIVINGSTON.

Mr Harison from the Committee to whom was Committed the Bill Entituled, An Act for striking Bills of Credit to the value of three thousand pounds and puting them into the Treasury to be Exchanged for Shattered Torn and defaced Bills struck and Issued by virtue of the several Acts therein mentioned, that the said Committee had considered of the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Harison in his place Reported that the said Committee had gone through the said Bill without any amendments.

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without Amendments

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

Mr Harison further Reported from the said Committee that they had gone through the Bill Entituled, An Act for destroying Foxes and Wild Cats in the County of Queens County as likewise the Bill Entituled, An Act for destroying Wolves in the Connty of Albany, Dutchess County and Orange County and that they had considered of the same Bill and made some amendments thereto.

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past as Amended

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has past the said Bill with some Amendments thereto and desire their concurrence to the same

A Message from the Assembly by Captain Rutgers acquainting the Board that that house had agreed to the Amendments made by this Board to the Bill Entituled, An Act for the Easier partition of Lands in Joint Tenancy or in Common and promoting the Settling and Improvem^t thereof and for confirming former divisions in the settled Townships of this Colony

A Message from the Assembly by Captain Rutgers with the Bill Entituled, An Act for the laying out & clearing of the highways from the East side of the Kaghnewage Creek where it falls in the Mohauks River so far as the Christian Settlements at present do Extend and for breaking up the Road in the winter time and desireing the concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered, a second reading

At a Council held at Fort George in New York, November the 5th, 1726.

PRESENT—

His Excellency WILLIAM BURNET, Esq^r, &c,

Cap^t WALTER,
Mr VAN DAM,
Mr CLARKE,
Mr HARISON,

Doctor COLDEN,
Mr ALEXANDER,
Mr PHILIP LIVINGSTON.

A Message from the Assembly by Mr Ryer Gerritse with the Bill Entituled, An Act for Explaining and Enforceing An Act Entituled, An Act to lay different dutys on the goods thereinmentioned and for regulating the Indian Trade in the City and County of Albany for the term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act and desireing the concurrence of this Board thereto

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered, a second reading

A Message from the Assembly by Mr Ryer Gerritse with the Bill Entituled, An Act to Encourage the destroying of Foxes and Wild cattis in the County of Queens County within this Province acquainting this Board that that house had agreed to the Amendments made by this Board to the said Bill

Ordered, that Mr Clarke do acquaint the house of Representatives that this Board do agree to their Amendments made to the Bill Entituled, An Act to prevent Desertion from his Majestys Forces in the Province of New York

The Bill Entituled, An Act for the Laying out and clearing publick highways from the East side of Kaghnewage Creek where it falls into the Mohauks River so far as the Christian Settlements at present do extend and for breaking the Road in the winter time, was read the second time and Committed to the Gentlemen of this Board or any five of them

Post Meridiem.

PRESENT as before

The Bill Entituled, An Act for Explaining and Enforceing An Act entituled, An Act to lay different dutys on the goods thereinmentioned and for regulating the Indian trade in the City and County of Albany for the Term of two years and for moderating and ascertaining the fines incurred by former Acts if paid within the time Limited in this Act, Was read the second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, November the 8th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,

M^r HARISON,
Doctor COLDEN,
M^r LIVINGSTON.

Doctor Colden Chairman of the Committee to whom was Committed the Bill Entituled, An Act for Explaining and Enforceing An Act Entituled, An Act to lay different dutys on the goods thereinmentioned and for regulating the Indian Trade in the City and County of Albany for the term of two years and for moderating and ascertaining the Fines incurred by former Acts if paid within the time Limited in this Act acquainted the Board that the Committee had considered of the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately.

Then M^r Harison in his Place Reported that the Committee had gone through the said Bill and made some amendm^{ts} thereto.

Then the said Bill was read the third time as amended

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill with the Amendments made thereto and desire their concurrence to the same

Doctor Colden likewise Reported from the said Committee that they had gone through the Bill Entituled, An Act for the laying out and clearing of the highways from the East side of Kaghawage Creek where it falls in the Mohawks River so farr as the Christian Settlements at present do Extend and for breaking up the Road in the winter time, that they had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without Amendments

Ordered, that Doctor Colden do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

A Message from the Assembly by Captain Glen acquainting the Board that the Assembly had agreed to the Amendm^{ts} made by this Board to the Bill Entituled, An Act for destroying Wolves in the County of Albany, Dutchess County and Orange County

A Message from the Assembly by Major Philipse with the Bill Entituled, An Act to appoint an Agent for the Colony of New York at the Court of Great Britain for the time thereinmentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading.

At a Council held at Fort George in New York, November the 9th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Captain WALTER,
M^r VAN DAM,
M^r CLARKE,

M^r HARISON,
M^r ABRAHAM VAN HORNE,
M^r PHILIP LIVINGSTON.

The Bill Entituled, An Act to appoint An Agent for the Colony of New York at the Court of Great Britain for the time thereinmentioned was read the Second time and committed to the Gentlemen of this Board or any five of them

Post Meridiem

PRESENT as Before

M^r Clarke Reported from the Committee to whom was Committed the Bill Entituled, An Act to appoint an Agent for the Colony of New York at the Court of Great Britain for the time therein mentioned that the said Committee had considered of the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then M^r Clarke in his place Reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that M^r Clarke do acquaint the house of Representatives that this Board has past the said Bill without Amendments

A Message from the Assembly by Captain Glen with the Bill Entitled, An Act for explaining and enforcing An Act Entitled, An Act to lay different dutys on the goods thereinmentioned and for regulating the Indian Trade in the City and County of Albany for the Term of two years and for moderating and ascertaining the fines incurred by former acts if paid within the time Limited in this Act and the Amendments made by this Board to the said Bill and acquainting the Board that they disagree to the said Amendments

Whereupon the Question was put

Whether this Board do recede from their said Amendments to the said Bill?

It was carried in the affirmative.

Ordered, that the said Bill do pass without amendments

Ordered, that Mr Clarke do acquaint the House of Representatives that this Board do recede from their Amendments made to the said Bill.

Mr Livingston moved that his PROTEST be entred against passing the said Bill which was agreed to by the Board and is as follows:—

That he conceives the said Bill to be an Invasion on that right which every subject hath to Trade in general and that it is an Invasion on property the same having respect to many things transacted in Trade before passing said Bill

He Likewise conceives that no Transaction in Trade had or done before any Law to the contrary ought to be affected by An Act passed Expost facto and that such act is contrary to the usage and Custom of our own and all other nations and does also conceive that his own right to Trade is as also his property will be Immediately prejudiced by said Act the same as he very believes being chiefly calculated in one clause thereof for that purpose only.

At a Council held at Fort George in New York, November the 10th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr CLARKE,

Mr HARISON,
Mr AB. VAN HORNE.

A Message from the Assembly by Mr Samuel Gerritse with the Bill Entitled, An Act for regulating and Securing the Indian Trade to the westward of Albany and for defraying the charge thereof and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading.

Post Meridiem

PRESENT as before

The Bill Entitled, An Act for regulating and securing the Indian trade to the westward of Albany and for defraying the charge thereof was read the second time and Committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing the Gentlemen Resolved into a Committee and after some time spent

His Excellency returning to the Council Chamber took his place

Then Mr Harison Chairman of the Committee to whom was Committed the Bill, Entitled, An Act for the Regulating and securing the Indian Trade to the Westward of Albany and for defraying the charge thereof [acquainted the Board] that the said Committee had considered of the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately.

Then Mr Harison in his place Reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has past the said Bill without any Amendments.

At a Council held at Fort George in New York, November the 11th, 1726.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Captain WALTER,
M^r CLARKE,

M^r HARRISON,
M^r ABR: VAN HORNE.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their Immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Bills Enacting the same and Ordered them to be Enrolled viz^t

1st An Act to Impower the Justices of the Peace of the City and County of Albany Living or dwelling in the Township of Schenectady in the said County to regulate the Streets and highways and to prevent accidents by fire in the said Town.

2^d An Act for Explaining An Act of the General Assembly of this province made in the seventh year of his Majesties Reign Entitled, An Act for regulating Fences in the severall Cities and Countys within this province of New York and for making the same more beneficial to the Township of Schenectady in the County of Albany

3^d An Act for the Easier Partition of Lands in Joint Tenancy or in common and for promoting the Setling and Improvment thereof and for confirming former Divisions in the settled Townships of this Colony

4th An Act for the destroying of Foxes and Wild cats in the County of Queens County within this province

5th An Act for striking Bills of Credit to the value of three thousand pounds and putting them into the Treasury to be Exchanged for Shattered, Torn, and defaced Bills struck and Issued by virtue of the several Acts thereinmentioned.

6th An Act for reviving An Act Entitled, An Act for regulating and returning able and sufficient Jurors in Tryalls at Law

7th An Act for destroying of Wolves in the County of Albany Dutchess County and Orange County

8th An Act for Laying out and Clearing the highways from the East side of Kaghawage Creek where it falls into the Mohauks River so farr as the Christian Settlements at present do Extend and for breaking up the Road in the Winter time from Scholare to a place called the Verbight

9th An Act to prevent Desertion from his Majesties Forces in the province of New York

10th An Act for Explaining and Enforceing An Act Entitled, An Act to Lay different duties on the goods thereinmentioned and for regulating the Indian trade in the City and County of Albany for the term of two years and for moderating and ascertaining the Fines incurred by former Acts if paid within the time Limited in this Act.

11th An Act to appoint an agent for the Colony of Newyork at the Court of Great Britain for the time thereinmentioned.

12th An Act for regulating and Securing the Indian trade to the Westward of Albany and for defraying the Charge thereof.

Then his Excellency desired the Assembly to adjourn themselves to the Third Tuesday of March next

[N. Y. Col. MSS., LXVII., 173.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in chief of the provinces of
(U. S.) New York, New Jersey and Territories thereon depending in America and Vice Admiral
of the Same &c

A PROCLAMATION

WHEREAS the General Assembly of the province of Newyork stands adjourned to the third Tuesday of this Instant March, I have thought fit for his Majesty's Service, And by

Virtue of the powers and Authoritys to me given by his Majestys Letters Patents under the Great Seal of *Great Britain* further to adjourn the said General Assembly untill the *third Tuesday of April* next, And I do hereby accordingly adjourn the Said General Assembly untill the *third Tuesday of April* next, of which all his Majestys Subjects are to take notice, and Govern themselves accordingly.

Given under my hand and Seal at Arms at ffort George in *Newyork* this
Eleventh day of March in the thirteenth Year of his Majestys Reign Annoq
Domini 1726

W BURNET

By his Excellencys Command
Is BOBIN D. Sécry

God Save the KING

[N. Y. Col. MSS., LXVII, 175.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of
(L. S.) New-York New Jersey and Territories thereon Depending in *America* and Vice
Admiral of the Same &c^a

A PROCLAMATION

WHEREAS the General Assembly of the Province of New-York Stands adjourned to the third Tuesday of this justant April, I have thought fit for his Majestys service, and by virtue of the Powers and Authoritys to me given by his Majesty's Letters Patent under the great Seal of *Great Britain*, further to Adjourn the Said General Assembly, until the *Second Tuesday of May* next. And I do hereby accordingly Adjourn the Said General Assembly until the *Second Tuesday of May* next, of Which all his Majesty's Subjects are to take Notice, and Govern themselves Accordingly

Given Under my hand and Seal at Arms at Fort-George in *New-York* this
fourteenth day of April in the thirteenth Year of his Majestys Reign Annoq
Domini 1727.

W BURNET

By his Excellency's Command
Is BOBIN D. Sécry

God Save the KING

[N. Y. Col. MSS., LXVII., 177.]

BY HIS EXCELLENCY

WILLIAM BURNET Esq^r Captain General and Governour in Chief of the Provinces of
(L. S.) New York New Jersey and Territories thereon Depending in *America* and Vice
Admiral of the same &c^a

A PROCLAMATION

WHEREAS the General Assembly of the Province of New-York stands adjourned to the second Tuesday of this justant May I have thought fit for his Majesty's Service, and by

Virtue of the Powers and Authoritys to me given by his Majestys Letters Patents under the Great Seal of *Great Britain* further to Adjourn the said General Assembly until the *Second Tuesday of June* next, and I do hereby accordingly Adjourn the said General Assembly until the *Second Tuesday of June* next, Of which all his Majesty's Subjects are to take Notice and Govern themselves accordingly.

Given under my hand and Seal at Arms at Fort-George in *New-York* this *Eighth* day of *May* in the thirteenth year of his Majestys Reign Annoq Domini 1727

W BURNET

By his Excellency's Command
Is ROBIN D Sécry

God save the KING.

[N. Y. Col. MSS., LXVIII., 2.]

BY HIS EXCELLENCY

WILLIAM BURNET Esqr Captain General and Governour in Chief of the provinces of
(i. s.) New York New Jersey and Territories thereon depending in *America* and Vice
Admiral of the same &c

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands Adjourned to the Second Tuesday of this Instant June, I have thought fit for his Majestys Service, and by Virtue of the Powers and Authoritys unto me given by his Majestys Letters patents under the Great Seal of *Great Britain* further to Adjourn the said General Assembly untill the *second Tuesday of July* next, and I do hereby accordingly Adjourn the said General Assembly untill the *second Tuesday of July* next, of which all his Majestys Subjects are to take Notice, and Govern themselves accordingly

Given under my hand and Seal at Arms at Fort George in *New York* this *Twelfth* day of *June* in the Thirteenth year of his Majestys Reign Annoq Domini 1727

W. BURNET

By his Excellencys Command
Is. ROBIN D Sécry

God save the KING

[N. Y. Col. MSS., LXVIII., 14]

BY HIS EXCELLENCY

WILLIAM BURNET Esqr Captain Genl and Governour in Chief of the provinces of New-York
(i. s.) New Jersey and Territories thereon Depending in *America* and Vice Admiral of the
same &c

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands adjourned to the second Tuesday of this Instant July, I have thought fit for his Majestys Service and by virtue of the Powers and Authoritys unto me given by his Majesty's Letters Patent under the Great

Seal of *Great Britain*, further to adjourn the said General Assembly until the *Second Tuesday* of *August* next and I do hereby accordingly Adjourn the said General Assembly until the *Second Tuesday* of *August* next of which all his Majesty's Subjects are to take notice and govern themselves accordingly

Given under my hand and Seal at Arms at Fort George in *New York*, this *teath* day of *July* in the thirteenth year of his Majesty's Reign, Annoq Dom. 1727

W BURNET

By his Excellency's Command

Is ROBIN D. Sécry

God save the KING.



[IN EXECUTIVE SESSION]

August 21st 1727

His Excellency acquainted the Board of the Death of his late Majesty King George and the Accession of his highness the prince of Wales to the Crown of Great Britain

Ordered, that Writs issue for the Electing a NEW Assembly returnable as usual.

NINETEENTH ASSEMBLY FIRST SESSION.

At a Council held at Fort George in New York, September y^e 30th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c,

Cap^t WALTER,
M^r VAN DAM,
M^r HARRISON,

M^r ALEXANDER,
M^r AB VAN HORNE,
M^r KENNEDY.

His Excellency sent the Deputy Secretary to the Assembly to Acquaint that he was ready in the Council Chamber to qualifie them and that he desired their Attendance Whereupon those that were in Town came and took the oaths appointed to be taken instead of the oaths of Allegiance and Supremacy and took and subscribed the Test and Abjuration Oath and then his Excellency recommended to them to return and choose a Speaker to be presented to him

Then they returned and presented Adolph Phillipse Esq^r their Speaker whom his Excellency was pleased to approve of

Then his Excellency made the following speech to them :

Gentlemen,

The Death of our late Sovereign of ever Glorious memory and the happy accession of his most Excellent Majesty have already fill'd your hearts with all that dutifull subjects must feel upon so great an Occasion and the choice which the people have at this time made of you to represent them gives you an Early opportunity of Expressing their Loyal sentiments upon it.

You find that I have lost no time nor spared no Expence in order to secure the five Nations to the British Interest by making a settlement of some strength among them convenient for Trade with the far Indians as well as themselves and by supporting it in such a manner as I hope with your assistance will prevent any attempts against it The consequence of this undertaking cannot appear better than by the great uneasiness it has given to the French who seem apprehensive that their unjustifiable pretensions and Encroachments upon our Indians and their Endeavours to Engross the trade with all the far nations will be defeated by it That they are under so much concern you will plainly see by the Governours of Canadas summons to my Officer at Oswego to abandon it and by his Letter delivered me by the Governour of Trois Rivières wherein he complains of the Enterprize in the strongest terms, which papers together with my answer I shall lay before you

I cannot avoid observing to you that the Fund provided by the late Assembly for this service has not in any ways answered the greatness of the charge nor even any part worth mentioning of what it was Intended to produce so that the whole has been performed at my own Expence or upon my private Credit, and this burden I choose to take entirely on my self rather than suffer the design to run the risque of being lost as it probably would do by the least delay, I have thus Engaged my self upon a full confidence that you would not fail to provide for the Immediate discharge of a Debt contracted for the province when its Safety required it in the most pressing manner, The particulars shall be laid before you as far the accounts are compleated. And I hope you will make a large Allowance for what is not yet brought to account and make full provision of what shall be requisite for the next year to support and maintain this Important post.

I must remind you of the inconveniences which arise from the Limits of the province being undetermined. This is not only a great discouragement to its being well peopled and Improved but likewise a constant occasion of quarrells with our neighbours. Our late Agreement with the Government of Connecticut has indeed put a stop to them for the present on That Side but unless you make provision for compleating the Lines to be run in Consequence of it, which that province has made repeated application to have done the mischiefs intended to be prevented by that agreement may possibly happen. You are no Strangers to the difference which have Subsisted for some years between the patentees of Westernhook and the Inhabitants of the province of Massachusetts Bay ; upon the Application of those patentees I have made An Agreement with that Government to abstain on both sides from any new attempts till the Lines between that province and this Shall be run and their Assembly has made a proposal to treat with this Government about those Limits and have named Commissioners for that purpose

I Shall Lay their Resolves before you that you may take Such Measures on that head as you shall think Expedient

There has been so much already done to Beautifie and repair the Buildings in the Fort that I am perswaded you will not leave that work Imperfect. The Soldiers Barracks are in a very

ruinous Condition and will require a much greater Charge, if what is necessary to keep them from falling be not done without delay

I have lately been Informed of Disturbances that have happened between the Inhabitants of Orange County in this province and Hunterdon County in New Jersey which I know of no Expedient to put an End to, but by Compleating the Division Line on that Side which will require a Sufficient provision from you

I have the Satisfaction to Inform you that your Agent has been very Active in Solliciting the Affairs of this province and particularly that he has Succeeded in obtaining that pressing Instances might be made at the Court of France against the Stone house: at Niagara.

You Cannot but be Sensible that his Vigilance will be very requisite to prevent any misrepresentations which the French may make of our Building at Oswego as well as to bring the other matters committed to his care to a happy conclusion and therefore I make no question of your Continuing to give him all Suitable Encouragement

The Season of the year being So far advanced I hope you will proceed with all possible dispatch that you may finish what I have recommended to you and if you have any thing to propose for the benefit of the Country I shall very readily Join with you to the Utmost of my power.

After which the Speaker desired his Excellency that they may Enjoy the usuall priviledges which his Excellency Granted.

At a Council held at Fort George in New York, October the 7th, 1727.

PRESENT — His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARISON,
M^r ALEXANDER,
M^r KENNEDY.

The Assembly attending with their Speaker made An Address to his Excellency For which his Excellency was pleased to thank them

Ordered, that M^r Bobin do acquaint the house of Representatives that this Board has appointed Captain Walter, M^r Van Dam, M^r Barberie, M^r Harison and M^r Alexander or any three of them to be a Committee to Join a Committee to be appointed by that house to prepare the draft of an Address to be presented to his Majesty from the Governour, Council and Assembly of this province and in order thereto the said Committee will meet on Tuesday next at the hour of Five in the afternoon at the house of John De Honneur in this city

At a Council held at Fort George in New York, October the 14th, 1727.

PRESENT — His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r ALEXANDER,
M^r WILLIAM PROVOOST,
M^r KENNEDY.

M^r Alexander from the Committee appointed to prepare the Draft of An Address to his Majesty Reported they had met a Committee of the Assembly appointed by that house for the same purpose and that both Committees had agreed to and approved of the Draft now laid before the Board as a proper Address to his Majesty.

At a Council held at Fort George in New York, October the 18th, 1727.

PRESENT — His Excellency WILLIAM BURNET, Esq^r, &c^a,

M^r CLARKE,
M^r HARISON,
M^r ALEXANDER,

M^r PHILIP LIVINGSTON,
M^r KENNEDY

A Message from the Assembly by Coll Willett and M^r Merrill acquainting his Excellency and this Board that that house approve of the Draft of An Address to his Majesty prepared by a Committee of the Council and a Committee of their House and that when the said Address is

Ingrossed and signed by his Excellency and the Gentlemen of this Board the Members of that house will be ready to sign the same Likewise as soon as it is sent to them for that purpose.

Ordered, that the Draft of the said Address be read

Then the said Draft was read and approved of by the Board and

Ordered, that two fair copies thereof be Ingrossed which is as follows

To the KINGs most Excellent MAJESTY

The Humble ADDRESS of the Governour Council and General Assembly of the province of *New York*

Most Gracious Sovereign,

We your Majestys most dutifull and Loyal Subjects of this Remote part of your Dominions beg leave to approach the throne with hearts deeply affected with the loss of your late Royal father of ever glorious memory but filled with Joy and Comfort upon your most Excellent Majestys happy accession to the Crown

The blessings we now Enjoy under your Majesty naturally lead us to look back to signal Revolution under our great deliverer King William the third who began his Reign with abolishing popery & slavery among us and clos'd it with preventing their being ever again Imposed and Intailed upon us by establishing the protestant succession for the perpetual security of our Laws Liberties & Religion

We have observed with delight and Admiration that as soon as that happy settlement took place in his late Majesty the glory of the British Nation received a new Lustre from his shining virtues

His Just and mild Government endeared him to his subjects and his wise and steady conduct effectually placed the Ballance of Europe in his hands and what above all demands our unbounded gratitude to his memory the peace, safety, strength, and happiness in which he left his Kingdoms prepared the way for those universal acclamations with which your Majesty's accession has been so joyfully celebrated

Your Majestys early zeal and undaunted courage in defence of the Liberties of Europe and the reformed Interest, your long Experience and Intire knowledge of the British Constitution Joined with all Inherent virtues that can adorn a prince give us sure presages of the glory that will attend your Auspicious Reign and that we might have nothing left to wish but the Continuance of our happiness, We see the throne graced with a Royal Consort who by disdaining a temporal Crown when set in competition with a heavenly one has the Justest title to both and with a numerous Royall Issue form'd by Nature, Education and Example to continue the felicity of the times to posterity for ages to come.

Tho we are not blessed with the nearer Influence of your Royal presence yet we yield to none of your Majestys subjects in fidelity and Loyalty and in Ardent wishes that your Majestys Reign may Exceed all your predecessors in Length prosperity and glory and that the British Supremacy for ever be established in your Majestys most Illustrious house.

A Message from the Assembly by Major Synnes with the Bill Entitled, An Act to repair the County house and to amend or Inlarge the Goal or prison in the County of Orange and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read the first time.

Then the said Bill was read the first time and

Ordered a second reading.

A Message from the Assembly by Major Hutcheson with the Bill Entitled, An Act to Inable the Justices of the peace in the County of Suffolk to build a County house and prison and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

Post Meridiem

PRESENT us before

The Bill Entitled, An Act to Repair the County house and to amend and Inlarge the Goal or prison in the County of Orange was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Intituled, An Act to Inable the Justices of the peace in the County of Suffolk to build a County house and prison Was Read the second time and Committed to the Gentlemen of this Board or any five of them

Mr Clarke acquainted the Board that in the time of the last Assembly Leave was given him by this Board to bring in a Bill for the ascertaining the Quitt Rents in this province and that accordingly a Bill was brought in and had a first reading but moved the Board for Leave to bring in a Bill agreeing in substance with the former.

Ordered, that Leave be given to bring in a Bill Accordingly

At a Council held at Fort George in New York, October the 19th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Cap^t WALTER,
M^r BARBERIE,
M^r CLARKE,
M^r HARRISON,

M^r MORRIS, Jun^r,
M^r W^m PROVOOST,
M^r PHILLIP LIVINGSTON,
M^r KENNEDY.

M^r Clarke According to the Leave of this Board brought in and laid before the Board the Bill entituled, An Act for the Ascertainig the rents due and payable to his Majesty for Some of the Lands formerly granted in this province for which no certain Rent hath been reserved in the grants made of the Said Lands

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

His Excellency withdrawing The Gentlemen of the Council resolved into a Comittee

His Excellency returning to the Council Chamber took his place

Then M^r Barberie from the Committee to whom was Committed the following Bills viz^t An Act Entituled, An Act to Repair the County house and to amend and enlarge the Goal or prison in the County of Orange and the Bill entituled, An Act to enable the Justices of the peace in the County of Suffolk to build a County house and prison, Acquainted the Board that the Committee had gone through the Said Bills and was ready to make their Report when this Board would please to receive the Same

Ordered, that the Said Report be made Immediately

Then M^r Barberie in his place Reported that the Committee had gone through the Said Bills without Amendments

Then the Said Bills were read the third time and past without Amendments

Ordered, that M^r Barberie do Acquaint the house of Representatives that this Board has past the Said Bills without any Amendments

Post Meridiem

PRESENT

The Engrossed Address from the Governour, Council and General Assembly and a Duplicate thereof to his Majesty was read and Signed by his Excellency and the Gentlemen of the Council and Sent by the Deputy Clerk of the Council to the Assembly for their Signing the Same

At a Council held at Fort George in New York, October the 26th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c,

Cap^t WALTER,
M^r VAN DAM,
M^r BARBERIE,

M^r HARRISON,
Doctor COLDEN,
M^r ALEXANDER.

A Message from the Assembly by M^r Livingston with the Bill entituled, An Act for reviving An Act for Laying out and Clearing publick highways in the precinct of Schohare in the County of Albany and for exchanging Some of the Commissioners and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly with the Bill entituled, An Act to Repeal An Act of General Assembly entituled, An Act for prohibiting all persons but Robert Lettice Hooper and his Assigns to refine Sugar during the term thereinmentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading

The Bill entituled, An Act for the Ascertainig the rents due and payable to his Majesty for some of the Lands formerly granted in this province for which no Certain Rent hath been Reserved in the Grants made of the said Lands Was read the Second time and committed to the Gentlemen of this Board or any five of them

Post Meridien

PRESENT as before

The Bill Entituled, An Act for Reviving An Act Entituled, An Act for Laying out and Clearing publick highways in the precinct of Schohare in the County of Albany and for exchanging some of the Commissioners was read the Second time and committed to the Gentlemen of this Board or any five of them

The Bill entituled, An Act to repeal An Act of General Assembly entituled, An Act for prohibiting all persons but Robert Lettice Hooper and his Assigns to refine Sugar during the time thereinmentioned was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, November the 1st, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr HARISON,
Doctor COLDEN,

Mr ALEXANDER,
Mr PHILLIP LIVINGSTON,
Mr KENNEDY.

Mr Harison in his place Reported from the Committee to whom was Committed the Bill entituled, An Act for the Ascertainning the rents due and payable to his Majesty for some of the Lands formerly granted in this province for which no certain rent hath been reserved in the Grants made of the said Lands, that they had gone through the said Bill and was Ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Harison in his place Reported that they had gone through the said Bill and made the following Amendments thereto viz^t In the first Line instead of the words [times in] insert the words [the Government of] in the first Line of the Sixth page fill the blank with these words [two shillings and six pence] and all the blanks in the said page to be filled up with the said words the blank in the last page to be filled up with these words [one shilling] which Amendments were agreed to by the Board

Ordered, that the said Bill be Engrossed as Amended

Mr Harison Likewise Reported that the said Committee had gone through the following Bills and agreed to the same without any Amendm^{ts} viz^t The Bill entituled, An Act for Laying out and Clearing publick highways in the precinct of Schohare in the County of Albany and for Exchanging some of the Commissioners and the Bill entituled, An Act to Repeal An Act of General Assembly entituled, An Act prohibiting all persons but Robert Lettice Hooper and his Assigns to Refine Sugar during the time thereinmentioned.

Ordered, that the said Bills be read the third time

Then the said Bills were read the third time and past without Amendments

Ordered, that Mr Harison do acquaint the house of Representatives that this Board has past the said Bills without any Amendments

Mr Alexander begg'd Leave to enter his Dissent against passing the said Bill it appearing not sufficiently to him that Mr Hooper has forfeited the priviledges given him by the Act Repealed

A Message from the Assembly by Captain Rutgers with the Bill Entituled, An Act for continuing An Act entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony for changing some Commissioners and for recovering the arrears of the Excise and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, November the 2^d, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c,

Cap^t WALTER,
Mr BARBERIE,
Mr HARISON,
Doctor COLDEN,

Mr ALEXANDER,
Mr ABRAHAM VAN HORNE,
Mr PHILLIP LIVINGSTON,
Mr KENNEDY.

The Bill Entituled, An Act for continuing An Act entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony for changing

some of the Commissioners and for recovering the arrears of the Excise, was read the second time and Committed to the Gentlemen of this Board or any five of them

The Engrossed Bill Entituled, An Act for the Ascertainig the Rents due and payable to his Majesty for some of the Lands formerly granted in this province for which no Certain rent hath been reserved in the grants made of the said Lands was read the third time and past

Ordered, that Mr Harison do Carry the said Bill to the Assembly for their concurrence

The Governour withdrawing, The Gentlemen of the Council resolved into a Committee

Post Meridiem

PRESENT as before

Doctor Colden in his place Reported from the Committee to whom was Committed the Bill entituled, An Act for continuing An Act entituled, An Act appointing Commissioners to Let to farm the Excise of Strong Liquors in the Citys and Countys in this Colony for changing some Commissioners and for recovering the Arrears of the Excise, that they had gone through the said Bill and was ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made Immediately

Then Doctor Colden in his place Reported that they had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Doctor Colden do acquaint the house of Representatives that this Board has past the said Bill without any Amendments

At a Council held at Fort George in New York, November the 11th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr BARBERIE,
Doctor COLDEN,
Mr ALEXANDER,

Mr PHILLIP LIVINGSTON,
Mr KENNEDY.

A Message from the Assembly by Collonell Hicks with the Bill Entituled, An Act for preventing prosecutions by Information and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

Ordered, that Mr Attorney General be Served with a Copy of the said Act and that if he has any objections against passing the Same he offer them this Board in Writing on Tuesday morning next at Eleven a Clock

A Message from the Assembly by Major Symes with the Bill Entituled, An Act for Continuing An Act of General Assembly of this Colony entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for moderating Some rates of the former ferriage and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly by Captain Renselaer with the Bill entituled, An Act for naturalizing James Fauviere and Charlotte his wife, Hester Besley the Wife of Thauvet Besley, John Sybrandt, Susanna Mercier Widow, Daniel Nunes De Costa, John George Puschart and Jacob Bomper and desiring the Concurrence of this Board thereto

Post Meridiem

PRESENT as before

The Bill Entituled, An Act for Continuing An Act of General Assembly of this Colony Entituled, An Act for reviving An Act Entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for moderating Some rates of the former ferriage was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for Naturalizing James Fauiere and Charlotte his wife Hester Besley the wife of Thauvet Besley, John Sybrandt, Susanna Mercier Widow Daniel Nunes De Costa, John George Puschart and Jacob Bomper was read the Second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, November the 15th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Mr VAN DAM,
Mr HARRISON,
Doctor COLDEN,
Mr ALEXANDER,

Mr MORRIS, Jun^r,
Mr PHILLIP LIVINGSTON,
Mr KENNEDY.

Mr Morris Jun^r in his place Reported from the Committee to whom was Committed the Bill entitled, An Act for continuing An Act of General Assembly of this Colony entitled, An Act for reviving An Act entitled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for moderating Some rates of the former ferriage that they had gone through the Said Bill and was ready to make their Report when this Board would please to receive the Same

Ordered, that Said Report be made Immediately

Then Mr Morris in his place reported that they had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without Amendments

Ordered, that Mr Morris do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Ordered, that the Bill entitled, An Act for preventing prosecutions by Information was read the second time and Committed to the Gentlemen of the Council or any five of them.

Mr Attorney Generals objections against the said Bill was Likewise read and referred to the consideration of the same Committee

His Excellency withdrawing The Gentlemen Resolved into a Committee

Post Meridiem

PRESENT as before

Mr Morris Jun^r in his place Reported from the Committee to whom was Committed the Bill Entitled, An Act for Naturalizing James Fauviere and Charlotte his wife and others that they had gone through the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Morris in his place reported that they had gone through the said Bill and added the following clause thereto at the End of the Bill add these words, And whereas the following words are contained in the latter part of the Oath of Abjuration viz^t [upon the true faith of a Christian] Be it further Enacted by the Authority aforesaid that whenever any of his Majestys subjects professing the Jewish religion shall present himself to take the said Oath of Abjuration in pursuance of this present Act the said words [upon the true faith of a Christian] shall be Omitted out of the said Oath in administering the same to such person and the taking the said Oath by such person professing the Jewish Religion without the words aforesaid in like manner as Jews are admitted to be sworn to give evidence in Courts of Justice shall be deemed to be a sufficient taking the Abjuration Oath within the meaning of this Act.

Ordered, that the said Bill with the said additional clause be read the third time.

Then the said Bill with the said additional clause was Read the third time and past.

Ordered, that Mr Morris do acquaint the house of Representatives that this Board has past the said Bill with an Additional clause and that he carry the said Bill to the house of Representatives with the additional clause thereto and desire their concurrence to the same

Mr Morris Likewise Reported from the said Committee that they had gone through the Bill Entitled, An Act for preventing prosecutions by Information and added the following clauses thereto to be taken in before the Last clause in the Bill viz^t Provided always that nothing in this Act Contained shall be construed to relate to such proceedings by Information as now are depending by Express order of the Supreme Court of this province or shall be directed by Express Order of the said Court, but only to such as have been or shall be commenced by the Attorney General of his own head without any Express Order.

Provided also that nothing herein shall Extend or be construed to hinder his Majesty from prosecuting his right to any of his Lands or Quit rents in this Colony by any Legal method which could have been taken before the making hereof.

Ordered, that the Said Bill with the Said Additional Clause be read the third time

Then the Said Bill with the Said Additional Clause was read the third time & past

Ordered, that Mr Morris do Acquaint the house of Representatives that this Board has past the Said Bill with Additional Clauses and that he Carry the Said Bill to the House of Representatives with additional Clauses made thereto and desire their Concurrence to the Same

At a Council held at Fort George in New York, November the 18th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r,

Cap^t WALTER,
M^r VAN DAM,
Doctor GOLDEN,

M^r ALEXANDER,
M^r ABRAHAM VAN HORNE,
M^r KENNEDY.

A Message from the Assembly by Collonell Hicks with the Bill entitled, An Act for naturalizing James Fauviere and Charlotte his wife, Hester Bisley the wife of Thavet Besley, John Sybrandt, Susannah Mercier Widow, Daniel Nunes De Costa, John George Puschart and Jacob Bomper Acquainting this Board that that house had agreed to the additional Clause made to the Said Bill by this Board

Ordered, that the Said Bill do pass Accordingly

A Message from the Assembly by Colonell Hicks with the Bill entitled, An Act for preventing Prosecution by Information, Acquainting this Board that that house disagree to the Amendments made by this Board thereto and that Instead thereof they had made another amendment to which they desire the Concurrence of this Board thereto

Which Amendments are as follows:

After the word notwithstanding ending the Clause in the 24th Line, page the 1st, add these words—

Provided that of the Actions already Commenced upon Informations as aforesaid Such of them may be brought on Again as the Governour for the time being by an Express order Signed in Council within one month after the publication of this Act shall direct provided also that as well the prosecutions to be made on such orders as on any other Such order or orders to be signed thereafter in manner as aforesaid shall be triable in the respective Countys only where the matters of fact did arise or was Committed.

This Board do recede from their Amendments made to the Said Bill and accept of the Amendments made by that house in Lieu thereof.

Ordered, that M^r Kennedy do acquaint the house of Representatives that this Board do recede from their amendments made to the Said Bill and that this Board does Accept of the Amendments made in Lieu thereof by that house

Ordered, that the Said Bill do pass Accordingly

At a Council held at Fort George in New York, November the 24th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^a,

Captain WALTER,
M^r HARISON,
Doctor GOLDEN,

M^r ALEXANDER,
M^r ABRAHAM VAN HORNE,
M^r KENNEDY.

A Message from the Assembly by Collonell Hicks and M^r Livingston with the Bill entitled, An Act for defraying the Cost and Contingent Charges of the Trading house Erected at Oswego and the maintaining [it] during the time thereinmentioned for applying Several Funds and Certain Sum out of the Excise for that purpose for the effectual Recovery of former fines and Forfeitures for continuing the different dutys on Indian Goods during the time thereinmentioned and for making good the money So to be borrowed of the Excise and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

Post Meridiem

PRESENT as before

Then the said Bill was read the second time and committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, November the 25th, 1727.

PRESENT —

His Excellency WILLIAM BURNET, Esq^r, &c^o,

Captain WALTER,
M^r VAN DAM,
M^r HARRISON,
Doctor COLDEN,

M^r ALEXANDER,
M^r LEWIS MORRIS, Jun^r,
M^r ABRAHAM VAN HORNE,
M^r KENNEDY.

M^r Kennedy in his place Reported from the Committee to whom was Committed the Bill entituled, An Act for defraying the Cost and charges of the Trading house erected at Oswego and the maintaining it during the time thereinmentioned for applying several funds and borrowing a certain sum out of the Excise for that purpose for the effectual Recovery of former fines and forfeitures for continuing the different dutys on Indian Goods during the time thereinmentioned and for making good the money so to be borrowed out of the Excise That they had gone through the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then M^r Kennedy in his place Reported that they had gone through the said Bill without any amendments

Ordered, that M^r Kennedy do Acquaint the House of Representatives that this Board has past the said Bills without any Amendments

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires Their Immediate attendance at the Council Chamber

The Assembly accordingly attending at the Council Chamber with their Speaker his Excellency Gave his Assent to the following Acts viz^t

1st An Act Entituled, An Act for defraying the Cost & Contingent Charges of the Trading house Erected at Oswego & the maintaining it During the time therein Mentioned for applying several Fonds and Borrowing a Certain sum out of the Excise for that purpose for the effectual recovery of former fines and forfeitures for Continuing the different dutys on Indian Goods during the Time therein mentioned and for making good the moneys so to be borrowed of the Excise

2^d An Act for Continuing An Act entituled, An Act appointing Com^{rs} to Let to farm the Excise of Strong Liquors in the Citys & Countys in this Colony for changing some Commissioners and for recovering the Arrear of the Excise

3^d An Act for preventing prosecutions by Information

4th An Act for Continuing An Act of General Assembly of this Colony Entituled, An Act for reviving An Act Entituled, An Act for regulating the Ferry between the City of New York and the Island Nassaw and for moderating some rates of the former Ferriage.

5th An Act to Enable the Justices of the peace in the County of Suffolk to build a County House and prison

6th An Act to repair the County House and to Amend and Enlarge the Goal or prison in the County of Orange

7th An Act for reviving An Act Entituled, An Act for Laying out and Clearing publick Highways in the precinct of Schohare in the County of Albany and for Exchanging some of the Commissioners

8th An Act to repeal An Act of General Assembly Entituled, An Act prohibiting all persons but Robert Lettice Hooper and his Assigns to refine Sugar during the Term therein mentioned

9th An Act for Naturalizing James Fauiere and Charlotte his wife, Hester Besly the wife of Thauvet Besley, John Sybrandt, Susannah Mercier Widdow, Daniel Nunes De Costa, John George Pusehart & Jacob Bomper

Then his Excellency proceeded to the publication of the said Acts with the usual solemnity.

The General Assembly returning with his Excellency to the Council Chamber,

His Excellency was pleased to declare them DISSOLVED with the unanimous Consent and approbation of this Board on account of the following Resolves made by the General Assembly viz^t

Die Sabbat: 25th November 1727

Coll Hicks from the Committee of Greivances reported that as well by the Complaints of several people as by the General Cry of his Majestys Subjects Inhabiting this Colony they find that the Court of Chancery as Lately assumed to be Sett up Here renders the Libertys and

properties of the said Subjects extreamly Precarious and that by the violent measures taken in & allowed by it some have been ruined others obliged to abandon the Colony and many restrained in it either by Imprisonment or by Excessive bail Exacted from them not to depart even when no manner of suits depending ag^t them and therefore are of opinion that the Extraordinary proceedings of that Court and the Exorbitant fees and charges Countenanced to be Exacted by by the Officers and Commissioners thereof are the greatest greivance and oppression this Colony has ever felt and that for removing the fatal consequences thereof they had come to several resolutions which being read were approved of by the House and are as follows

Resolved, that the Erecting or Excerciseing in this Colony a Court of Equity or Chancery (however it may be Termed) without Consent in General Assembly is unwarrantable and and Contrary to the Laws of England and a Manifest oppression and greivance to the subjects and of pernicious Consequence to their Libertys and propertys

Resolved, that this House will at their next meeting prepare and pass An Act to declare and adjudge all orders ordinances Devises * and proceedings of the Court so assumed to be Erected and Excercised as above mentioned to be illegall Null and void as by Law and of right they ought to be

Resolved, that this House will at the same time take into consideration whether it be necessary to Establish a Court of Equity or Chancery in this Colony in whom the Jurisdiction thereof ought to be vested and how far the powers of it shall be prescribed and Limited

Examined and Compared with the Journal of the General Assembly

G : LUDLOW Cl.

Which Resolves this Board looks upon as unwarrantable and highly Injurious to his Majestys Prerogative for the recovery of his Just Rights in this Province and to the Libertys and Propertys of the Subject, who would if the said Resolutions were of any force be thereby deprived of all remedies in Equity which they are Entitled unto by the Laws & fundamental Constitution of Great Britain

Ordered, that this Minute be Published and Printed and dispersed throughout this Province And that the Gentlemen of this Board or any five of them be a Committee to make their observations on the said Resolves and that they report their opinion thereon to this Board

TWENTIETH ASSEMBLY FIRST SESSION.

At a Council held at Fort George in New York, July the 23^d, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,
M^r HARISON,

M^r ALEXANDER,
M^r ABRAH VAN HORNE,
M^r W^m PROVOOST.

His Excellency sent the Deputy Secretary to the Assembly to Command their Attendance in the Council Chamber Immediatly

Whereupon those that were in Town Came and took the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy and took and subscribed the Test and Abjuration Oath appointed by Act of parliament to be Taken, and then his Excellency directed them to Return and Choose a Speaker to be presented to him before the Board at four in the Afternoon.

Then they Returned to their House

Post Meridiem

PRESENT as Before

The Assembly Attending his Excellency They presented Adolph Phillipse Esq^r for their Speaker whom his Excellency approved of

Then his Excellency made the following speech to them

Gentlemen,

When his Majesty did me the Honour to appoint me Governour of this province I was very sensible of my own insulliciency for so Great a Trust, Yet I willingly undertook it thinking it my Duty to serve my King and Country in whatever station his Majesty was pleased to Employ me

It was no small Encouragement for me to hear before I left England a general good character of the Inhabitants of this province and I hope after being some time Longer with you I shall be able to vouch it by Experience

You who are the free choice and Representatives of a people who I have so much reason to beleave are well principled, I hope are Met together determined to support his Majestys Government by settling upon him a Revenue in as ample a manner and at least for as long a time as former Assemblys have given it to his Predecessors By so doing you will Express your Loyalty and Gratitude to the best of Kings who is able and willing to secure to you your Religion, Laws, Libertys and propertys, is ready to protect the Trade you are at present posses of and is graciously resolved to Encourage the Encrease of your Commerce and the Encouraging of your Manufactures

I am fully Instructed to concur with you in every Thing that is for the real good and Interest of the province, and to take particular Care that you Enjoy your rights and priviledges in their full Extent at the same time I am Commanded to Support his Majestys Royal prerogative which I will do with the greatest zeal, and if any Factions and presumptious Attempt be made against so essential a part of the Constitution I Expect that you will oppose it,

Gentlemen,

I Confide so much in the good Intentions of this Assembly that I shall not propose to you any particular method of Supporting the Government or securing the province and its Frontiers where all the Garrisons are in a rumous Condition. The Things I Recommend to you are for your honour and Safety and your doing them effectually will Confirm his Majesty of the Good opinion he has of his Subjects here

After which the Speaker desired his Excellency that they may Enjoy their usual priviledges which his Excellency Granted.

At a Council held at Fort George in New York, August the 8th, 1728.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

M^r CLARKE,
M^r HARRISON,
Doctor COLDEN,

M^r ALEXANDER,
M^r LEWIS MORRIS, Jun^r,
M^r W^m PROVOOST.

A Message from the Assembly by Coll Willet with the Bill Entituled, An Act for reviving An Act Entituled, An Act for Settling and regulating the Militia of this province and making the same useful for the security and Defence thereof and for repealing all other Acts relating to the same and Desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the First Time

Then the said Bill was read the first Time and

Ordered a Second Reading

Then M^r Van Horne took his place

A Message from the Assembly by Cap^t Rutgers with the Bill Entituled, An Act for Laying a Duty on Empty Casks imported into the City of New York and desiring the concurrence of this Board Thereto

Ordered, that the said Bill be Read the First Time.

Then the said Bill was read the first Time and

Ordered a Second Reading.

Then M^r Van Dam and M^r Kennedy Took their places

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act to Continue the Currency of Bills of Credit struck and Issued in the year one Thousand seven hundred and Twenty to the value of Five Thousand ounces of plate until the First day of July one Thousand seven hundred and Twenty nine and desiring the Concurrence of This Board Thereto

Ordered, that the said Bill be read the First Time

Then the said Bill was read the first Time and

Ordered a Second Reading

At a Council held at Fort George in New York, August the 15th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,
M^r ALEXANDER,

Doctor COLDEN,
M^r LEWIS MORRIS, Jun^r,
M^r W^m PROVOOST,
M^r KENNEDY,
M^r PHIL LIVINGSTON.

A Message from the Assembly by Coll Beekman with the Bill Entituled, An Act to continue An Act Entituled, An Act for destroying of Wolves in the County of Albany, Dutchess County and Orange County and for Giving a further Reward for Killing of Wolves in the said County and desiring the concurrence of This Board

Ordered, that the said Bill be read the First Time

Then the said Bill was read the first Time and

Ordered a Second Reading

A Message from the Assembly by Cap^t Rutgers with the Bill Entituled, An Act to revive An Act entituled An Act for mending and keeping in repair the Post Road from New York to Kings Bridge and desiring the Concurrence of this Board thereto

Ordered, That the said Bill be Read the first Time

Then the said Bill was read the first Time and

Ordered a Second Reading

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act to prevent Swine running at Large in Dutchess County, and the mannor of Livingston and in the precinct of the mannor of Rensselaerswick called Claverack in the County of Albany and desiring the Concurrence of this Board thereto

Ordered, That the said Bill be read the First Time

Then the said Bill was read the first Time and

Ordered a Second Reading

The Bill Entituled, An Act for reviving An Act Entituled An Act for settling and regulating the Militia in this province and making the same more useful for the Security and Defence thereof and for repealing all other Acts relating to the same Was read the Second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Continue the Curreney of Bills of Credit Struck and Issued in the year one thousand seven hundred and Twenty to the value of Five thousand ounces of plate until the First day of July one thousand seven hundred and Twenty nine Was Read the Second Time and Committed

The Bill Entituled, An Act for Laying a Duty on Empty Casks Imported into the City of New York Was Read the Second Time and Committed to the Gentlemen of the Board or any five of them

At a Council held at Fort George in New York, August the 22^d, 1728.

PRESENT —

His Excellency Jⁿ^o MONTGOMERIE, Esq^r, &c.,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,
M^r LEWIS MORRIS, Jun^r,

M^r ABRAH VAN HORN,
M^r W^m PROVOOST,
M^r LIVINGSTON,
M^r KENNEDY.

M^r Kennedy Chairman of The Committee to whom was Committed the following Bills viz^t

The Bill Entituled, An Act to Continue The Curreney of Bills of Credit Struck and Issued in the year one thousand seven hundred and twenty to the value of Five Thousand Ounces of plate until The first day of July one thousand seven hundred and Twenty nine.

The Bill Entituled, An Act for Reviving An Act Entituled, An Act for Settling and Regulating the Militia in this province and making the Same useful for the Security and defence thereof and for repealing all other acts relating to the Same And

The Bill Entituled, An Act for Laying a Duty on Empty Casks Imported into the City of New York Acquainted the Board That the Committee had Considered of the Bataa and was ready To make Their Report When This Board would please to receive the Same

Ordered, That the Said Report be made Immediately

Then M^r Kennedy in his place reported That the said Committee had Gone Through the Said Bills without any Amendment

Ordered, That the Said Bills be Read the Third Time

Then the Said Bills were read the third Time and past without any Amendments

Ordered, that Mr Kennedy do Acquaint The House of Representatives That this Board has past the Said Bills without Any Amendments

The Bill Entituled, An Act to Continue An Act Entituled, An Act for destroying of Wolves in the County of Albany Dutchess County and Orange County and for giving a further reward for Killing of Wolves in the Said County Was Read The Second Time and Committed To the Gentlemen of the Board or any five of Them

The Bill Entituled, An Act to revive An Act Entituled, An Act for mending and keeping in repair The Post Road from New York to Kings Bridge Was read the Second Time and Committed to The Gentlemen of The Board or any Five of Them

The Bill Entituled, An Act to prevent Swine running at Large in Dutchess County and in the manner of Livingston and precinct of the Mannor of Rensselaerswick called Claverack in the County of Albany Was Read the Second Time and Committed to the Gentlemen of the Board or any five of Them

A Message from the Assembly by Cap^t Platt with the Bill Entituled, An Act for the more Easy Acknowledgement of Deeds and desiring the Concurrence of This Board thereto

Ordered, That the Said Bill be Read The First Time

Then the Said Bill was read the First Time and

Ordered a Second reading

A Message from the Assembly by Cap^t Van Horne with the Bili Entituled, An Act to revive An Act Entituled, An Act for the Encouraging Navigation and desiring the Concurrence of this Board Thereto

Ordered, that the Said Bill be read the first Time

Then the Said Bill was read the first time &

Ordered a Second Reading

A Message from the Assembly by Col Hicks with the Bill Entituled, An Act to amend the Practice of the Law and to Regulate the giving of Special Bail and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be Read the first time

Then the Said Bill was Read the first time and

Ordered a Second Reading.

At a Council held at Fort George in New York, August the 28th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr CLARKE,

Mr HARISON,

Mr ALEXANDER,

Doctor COLDEN,

Mr ABRAHAM V HORNE,

Mr W^m PROVOOST,

Mr KENNEDY.

Mr Abraham Van Horne Chairman of the Committee to whom was Committed the Three following Bills Viz^t the Bill Entituled, An Act for destroying of Wolves in the County of Albany, Dutchess County and Orange County and for Giving a flurther reward for Killing of Wolves in the Said County. The Bill Entituled, An Act to revive An Act Entituled [An Act] for mending and keeping in repair the post road from New York to Kings Bridge and the Bill entituled, An Act to prevent Swine running at Large in Dutchess County and in the Mannor of Livingston and in the precinct of the mannor of Rensselaerswick called Claverack in the County of Albany Acquainted the Board that the Committee had Considered of The Same and was ready to make their report when this Board would please to receive the Same

Ordered, that the said Report be made jmmmediatly

Then Mr Van Dam in his place Reported that the said Committee had gone through the said Bills without any amendments

Ordered, that the said Bills be read the Third Time.

Then the said Bills were read the third Time and past without Amendments

Ordered, that Mr Van Horn do acquaint the House of Representatives that this Board has past the said Bills without any Amendments

The Bill Entituled, An Act for the more Easy acknowledgement of Deeds Was Read the second Time & Committed to the Gentlemen of this Board or any five of Them

The Bill Entituled, An Act to revive An Act Entituled, An Act for the Encouraging Navigation Was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to amend the practice of the Law and to regulate the giving of Special Bail Was Read the second time

Then a motion was made for the Question to be put

Whether the said Bill be Committed

It was Carried in the affirmative.

The Question being put accordingly

It was Carried in the affirmative

Whereupon the said Bill was Committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by Major Phillipse and Major Symms with the Bill Entituled, An Act to repeal some part and to continue and enforce other parts of the Act therein mentioned And for granting several dutys to his Majesty for supporting his Government in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year 1733 desiring the concurrence of this Board Thereto

Ordered, that the said Bill be read the first Time

Then the said Bill was read the first time and

Ordered a second Reading

At a Council held at Fort George, August 29th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r,

Cap^t WALTER,

M^r VAN DAM,

M^r CLARKE,

M^r HARRISON,

Doctor COLDEN,

M^r ALEXANDER,

M^r ABRAHAM VAN HORN,

M^r W^m PROVOOST,

M^r KENNEDY,

M^r PHIL LIVINGSTON.

The Bill Entituled, An Act to repeal some parts and to Continue and enforce other parts of the Act therein mentioned and for granting several Dutys to his Majesty for supporting his Government in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year one thousand seven hundred and Thirty three Was Read the second time and Committed to the Gentlemen of the Board or any five of them

His Excellency withdrawing The Gentlemen of the Board resolved into a Committee

Post Meridiem

PRESENT as before

His Excellency returning to the Council Chamber took his place

Captain Walter Chairman of the Committee to who was Committed The Bill Entituled, An Act to Repeal some part and to Continue and Enforce other parts of the Act therein mentioned and for granting several Dutys to his Majesty for supporting his Government in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year 1733 acquainted the Board that the Committee Had considered of the same and was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Cap^t Walter in his place reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be read the Third time

Then the said Bill was read the Third time & past without Amendments

Ordered, That Cap^t Walters do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

M^r Livingston acquainted the Board that he was this day desired by one of the members of the House of Representatives (by an order of that House) to attend them upon which he moved the Board for their sentiments thereon

Whereupon it was the opinion of the Board that M^r Livingston might attend that house if he thought fitt

At a Council held at Fort George in New York, August the 30th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

M^r VAN DAM,

M^r CLARKE,

Doctor COLDEN,

M^r ALEXANDER,

M^r LEWIS MORRIS, Jun^r,

M^r ABRAHAM VAN HORNE,

M^r WILL PROVOOST,

M^r PHIL LIVINGSTON,

M^r KENNEDY.

M^r Morris Chairman of the Committee to whom was Committed the Bill Entituled, An Act for the Encouraging Navigation Acquainted the Board that the Committe had considered of the same and was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Morris in his place reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third Time

Then the said Bill was read the third Time and past without any Amendments

Ordered, that Mr Morris do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Mr Morris in his place read a Representation of some of the members of this Board concerning the late Assembly of this province after which he moved that the same might be Entred in the minutes of this day

Whereupon the Question was put

Whether the said Representation be Entred?

It was carryed in the Affirmative

Ordered, that the said representation be Entred accordingly which is as follows:

To HIS EXCELLENCY in Council.

It is with the greatest concern we find the proceedings of a Committee of the Council of which we were the members taxed by the Assembly of the highest violation of the privileges of the General Assembly and with rendring the Liberty and propertys of the people precarious as is but too plainly insinuated in their printed Votes of the thirtieth of July Last. We therefore think it our Indispensible duty with respect to that regard which is due to your Excellency to the representatives of the people and to that Justice which is Likewise due to our selves to set the whole matter in a true Light and to place the blame of all misunderstandings where we are convinced it ought to be Laid by Giving the following short account of the occasion of and proceedings in the present differences and animosities

While Mr Phillipse was at the head of the Last Assembly he became Defendant in a Suit in the Court of Chancery of this province for Lands of great Value and the matter in dispute coming to hearing on Bill and Answer The Governour decreed (some time in the summer before the Last Assembly) in behalf of the Complainants. This Decree however was not in form compleated till the 23^d of November Last while the Assembly was sitting

Two Days afterwards his Excellency (having sent for the Assembly to the Council Chamber to be witnesses of passing the Acts) went about noon in the usual form to the City Hall to publish them when he was informed of the resolves made that Day by the Assembly against the Court of Chancery and thought fit at his return to the Council Chamber to dissolve the Assembly

The Council entred some Counter Resolves in their minutes and a Committee was appointed to make observations on the resolves of the Assembly and afterwards were directed to send for persons and to Examine upon oath if Occasion should require it

We thought it our Duty not to publish all the particulars of this Examination because it may discourage future discoveries to mention (without Evident necessity) so much as the names of persons from whom we had our information. It is sufficient for the present purpose to declare

That it Evidently appeared to us That there had been no Complaint of the Court of Chancery made to the Assembly, no Information given them of any ill practice

That Mr Phillipse Speaker of the House only read a paper in his own hand writing containing all the words of the said resolves and of the preamble to them as they are now entred upon the Journall of the House without any alteration Except the Words *nemine contradicente* which upon the objection of one of the members were struck out

That notwithstanding these Resolves Recite a Report from the Committee there was no report made either verbally or in writing but this paper only Read by the Speaker which of it self plainly shows that it could not be the report of the Committee. It Likewise appeared to us that there had no mention been made in the House of any Grievances from the Court of Chancery before the said twenty fifth of November It was well known for some days before that the Sessions were to end that Day and that the only mention made of the Court of Chancery in the Assembly was by reading that paper which was likewise done before the Assembly was called up to the Council Chamber that the Clerk (tho' there was no Interruption made) had not time to enter upon the minutes before the members Left the House

It further appeared to us that the Committee of Greivances was convened in a more private manner than usual in the Evening before the Resolves were made: That no Complaints of the Court of Chancery were made to that Committee during the Last Sessions Except one that the High fees of the Court were mentioned by one of the members of that Committee and no notice taken of it till that Evening before the Resolves were made in the House when Mr W^m Smith, Abraham Gouverneur and Sarah Hett who were all interested in a suit then depending in Chancery and no other persons, appeared before the Committee to Complain and we have reason to beleive likewise that these persons did not appear of their own Accord, but were sent for by one of the members of the House and their whole Complaint was of a writt of *Ne Excutt* Issued against them as to the occasion of which we must refer to page 10th of the printed Decree in the case of Medina &c^a against Hett &c^a

These things being clearly made out it is Easy to conceive what impression these resolves (obtained in this manner) made upon our minds where we see one of the Branches of the Legislature, the Representatives of the people, thus Blindly giving up their Judgments to the Will of one man without the Least regard to Justice or to truth or to the honour of the person the King had intrusted with the Government of this province for how can they be said to have any regard for Justice when they proposed no Less than the reversing all the Decrees in Chancery without knowing or in the Least enquiring into the merits of any one Cause or when they endeavoured to blacken the character of the highest Judge of the province, tho' no one thing in his Conduct appeared that deserved the Least blame or what regard could they have to truth when they assert facts of the highest nature without desiring the Least Evidence to any one of them and all this is aggravated by the greatest disrespect that can be shown to his Majestys Authority in his Courts of Justice

Your Excellency will Easily believe what abhorrence the discovery of these things raised in our minds and yet we hope that our Conduct will make it manifest that these discoveries did not Lead us into any indecent passions tho' if they had, we might on such an occasion hope for Large Allowances from the most severe Judge. No, *may it please your Excellency*, we proceeded with a very different temper of mind; we did what the Assembly ought to have done; we Enquired with the greatest strictness into the practice of that Court, as the Council is certainly bound in duty to do, when any Complaints of Greivances come to their Knowledge, And we Enquired of all those that we thought were most Likely to inform us, among which certainly we ought to Expect the most voluntary as well as ample Information from those that made this publick complaint, and however unreasonably backward some of them were from informing us, we neglected no information from those that made this publick Complaint

We found fees taken by the Inferior officers to be in many Cases too high, and we found the Lawyers had been guilty of many abuses in their practice as in prolonging suits and encreasing the expences thereof by manifold contrivances, But to the Honour of the Judge of that Court We must say, we could find nothing blame worthy in the proceedings of the Court itself, and we are perswaded it can stand the severest Enquiry. We have not only enquired into these abuses but hope we have Likewise Provided Effectual Remedys for them as we think will evidently appear to all impartial Judges who shall see the two late ordinances for regulating the fees and practice of the Court of Chancery prepared by this Committee

Had we not then *may it please your Excellency*, good reason to Expect that these our proceedings would be highly acceptable to the people of this Province, We must presume your Excellency is surprized to hear that they have not. We must think therefore that the same artfull contriver that had before so strangely influenced the Assembly, influenced the people in no less strange a manner, for it was done by such arts and contrivances as could be suited to no purpose but such as appears too Evidently to be his in the Resolves of the late Assembly. Such falsehoods and slanders were spread among the people of his Excellency, our late Gouverneur and of some of the members of the Committee, that they could have been invented with no other view but to incite the mobb & with the hopes that we must sink under the load of calumny which was laid upon us & that the discovery of his Design might be thereby prevented

The uprightness of our Intentions, for on such an occasion as this men are allowed to defend themselves with Less modest reserve than is usual on other occasions, We say the uprightness of our Intentions made us confidently hope for the assistance of all honest men and therefore we cannot forbear declaring our concern at the want of some assistance we had a right to Expect in our proceedings, for thereby we were not only discouraged and an opinion impressed on the people to our prejudice but also the difficultys we Laboured under were highly augmented and the artifices used against us were Easily promoted

The Resolves of the present Assembly of the 30th of July and which we are assured were procured in the very same manner those of the Last Assembly were, oblige us to be more particular in one point than we should otherwise have thought there was any necessity for. It is insinuated in these resolves that the Committee of Council sent for some of the members of the Last Assembly in an imperious manner and Confined one of them for insisting that he thought himself accountable to the house only for any act done in it. The truth of this assertion did not in any manner (as we have reason to believe) appear to the House by any Complaint or information whatsoever made there, but is on the contrary such an unfair misrepresentation that it cannot be doubted from whose hands it came. The particular instance to which they chiefly point is this:

We ordered our Messenger to give our Service to Mr Beckman and tell him that the Gentlemen of the Council desire to speak with him at Mr Blaggess; a very imperious way of sending for them; And when he came, he was desired to take a seat with us at the table which he did, and this no doubt was using him with a very high hand. We beg your Excellencys pardon if we cannot forbear some resentment on this occasion. We told him the Occasion of our sending for him was that we might be informed of what Complaints and other informations the Assembly had against the Court of Chancery that we might have an opportunity of redressing the Greivances and the Governour of clearing himself of the reflection which seemed to be cast upon him.

These things being put in the form of Questions, all that we could obtain from him was that he would make no answer. We then askt him if he thought the Answering of these Questions would do him any personal prejudice But all he would say even to this Question was that he would not answer. He being desired to withdraw and afterwards called in and seated with the same respect as before, some Arguments were used to perswade him to answer. But he appearing resolute, we desired he would attend us at any other time we should give him notice. Upon which he answered in a haughty manner that he would if his buisness did not call him any where Else, and while we endeavoured to put a good construction on his words he endeavoured more & more to manifest his Disrespect, and when we desired him to stay in the House till we considered on these Last answers, he said, he would stay an hour or so Long as it should be convenient to himself, or words to the same purpose. Upon which the messenger was ordered not to suffer him to go out of the house without further orders from us. And about half an hour afterwards he was told to go about his buisness

We do not remember his saying that he did not think himself accountable for any Act done in the House, nor do we perceive how it could be a pertinent answer at Least to any Question then put to him; for we did not charge him or any other person with any Crime committed in the House; Or if we had and this had been his Answer We cannot say that we should have been satisfied with it, for if any Crime had been committed there the house could have taken no further notice of it, than as it was Likewise a contempt of the House and must have left the punishment of the Crime it Self to a proper Judicature, to which Judicature we think that person must Certainly have been Accountable.

This is that Calling to an Account and Confinement which the Assembly resents as the highest violation and breach of the privileges Due and of right belonging to General Assemblys and of pernicious and dangerous consequence to the Libertys of the people. We heartily wish that their Resolves may never effect the privilege of Assemblys and the propertys and Libertys of the people more than any Act of Council ever since we had the honour to sit at that Board

Upon the whole we beg leave to observe to your Excellency, That unless such attempts as this be Effectually discouraged, The Authority of his Majestys Courts may often be in danger from the Artifices of popular men That Judges may be frightened even in Cases where the King is highly concerned from giving Judgment against a Leading man of An Assembly and that the poor may have no means Left of Defending or recovering their right when Invaded by rich and popular men

If such an open Invasion of the Kings prerogative should now be passed with neglect any Discourse of it for the future may become the Test of the people

When your Excellency considers that the Gentlemen of his Majestys Council as well as all the officers of the Government, hold their places only during pleasure, And that it must be very difficult to Guard against private misrepresentations where such open and publick ones are attempted, they may be very much inclined to free themselves from troublesome disputes— That tho' we know of no Instance where the Council have ever stretchd their Authority, there are many where they have yielded to the Assembly and upon which the Expectation of the Assembly have always risen. For Example, the Assembly having once gained the appointing of the officer with whom the revenue is to be Lodged, they afterwards Assumed the same as to all the Collectors, so that properly speaking not one farthing of the money given by Act of Assembly for support of Government is in the Kings hands. They were not contented with this but expected Likewise the nomination of all the officers both Civil & Military in the several Countys and would Lately have assumed to themselves to be the whole Judges of the rewards due to the officers from the highest to the Lowest without the Consent of either Governour or Council or giving any reason for the Encreasing or Lessening any Salary, the Consequences of which are too evident to need mentioning

From this your Excellency will perceive, that the part of the Constitution of our Government which is designed to Counterbalance any encroachments of the Assembly, will often be too weak if it be not Strenuously Supported by our Superiors and Accordingly the Effects of this unequal balance generally break out upon the Death or removal of a Governour when the Authority of the Council is Least able to withstand the Arts of popular men, because the people Love Changes, and there is Less fear of punishment when it is to be observed that few Governours are willing to enter into disputes at their first arrival but generally fall in with the popular party. We perceive the force of popularity dayly increasing and therefore cannot but be apprehensive of what heighth it may reach to especially when the Assembly, Since your Excellencys Arrival, openly and boldly claim a privilege which Can only belong to the Supream and Absolute Authority by Asserting Absolutely that they are not accountable for any thing they do, This no doubt makes a Strong impression on the minds of the people and may make Some persons think themselves Safe under the protection of An Assembly in the Boldest attempts that Can be made on the Constitution, And We Cannot forbear observing that a desire to be absolutely Unaccountable has always Discovered a Strong Byass towards Tyranny and Arbitrary Power in those who have at any time claimed this privilege

As We have no Reason to doubt that all Possible Arts are used to misrepresent Our Actions So We may Expect that this representation will be Said to proceed from a Spirit of Contention,

Now When it is given out that the Assembly designs to drop the dispute. But *May it please your Excellency* after what manner is it done? They drop it after they have Charged us with the highest Invasion of their privileges and the Libertys of the people after they have declared themselves not to be Accountable and after they have Claimed a power of Calling the Council to an Account. We shall be Well pleased that this whole Affair be Subjected to the Strictest Enquiry that it may Clearly appear with what Spirit we have proceeded. We Shall even be Willing to have our Conduct in our private Affairs Considered As well as in publick to make the Temper of our Minds appear more plainly for if we be Naturally of Contentions Spirits or inclinable to Injure our Neighbour or if we have not kept clean Surely Some one Instance can be given and made. But in this we bid Defiance

We shall be far from desiring to have our resentments gratified, but we must Zealously Endeavour to discourage all attempts on the Royal prerogative and the Safety of the people in their properties and Libertys from whatever hands they come, It is with great pleasure we Look on the happiness of our Constitution where the prerogative of the Crown is so closely interwoven with the Safety of the people that no Attempt can be made upon the one without manifest Injury to the other; and this observation has mightily Supported us in performing our duty. But as we have not the Least reason to doubt of your Excellencys powerfull Concurrence not only in these our endeavours but likewise in removing all the fears that have been Cunningly imprest on the Officers of the Government in the performance of their Duty and as the doing of these things Cannot be the work of One day, We humbly Submit them to your Excellencys prudent Conduct which hitherto has [given] the greatest Satisfaction.

R: WALTER

CADWALLADER COLDEN

JA: ALEXANDER

LEWIS MORRIS Junr

New York, August 27th 1728.

At a Council held at Fort George in New York, August the 31st, 1728.

PRESENT —

His Excellency JN^o MONTGOMERIE, Esqr, &c^a,

M^r VAN DAM,

M^r CLARKE,

M^r HARRISON,

M^r ALEXANDER,

M^r VAN HORN,

M^r PROVOOST,

M^r LIVINGSTON,

M^r KENNEDY.

Ordered, that Doctor Colden Chairman of the Committee who took the Examination of some of the members of the late Assembly concerning a Resolve of that House about the Court of Chancery, do forthwith Laye before the Council all the minutes and proceedings of the said Committee

A Message from the Assembly by Col. Beekman with the Bill Entituled, An Act for better Clearing Regulating and further laying out Publick High Roads in the County of West Chester and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a Second Reading

Ordered, that the Deputy Cl. of the Council do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker, His Excellency gave his assent to the following Acts viz^t

An Act for Reviving An Act Entituled, An Act for Settling and Regulating the Militia in this Province and making the same useful for the Security and Defence thereof and for Repealing all other Acts relating to the same

An Act for Laying a Duty on Empty Casks Imported into the City of New York

An Act to continue the Currency of Bills of Credit Struck and Issued in the year one thousand seven hundred and twenty to the value of five thousand ounces of Plate until the first day of July one thousand seven hundred and twenty nine

An Act to Revive An Act Entituled, An Act for mending and keeping in Repair the Post Road from New-York to Kings Bridge

An Act to continue An Act Entituled, An Act for Destroying of Wolves in the County of Albany Dutchess County and Orange County and for giving a further reward for Killing of Wolves in the said Countys

An Act to prevent Swine running at large in Dutchess County and in the manner of Livingston and in the manner of Rensselaerwyck called Claverack in the County of Albany

An Act to Repeal some parts and to continue and Enforce other parts of the Act therein mentioned and for granting several Dutys to his Majesty for Supporting his Government in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year 1733

An Act to Revive An Act Entitled, An Act for the Encouraging Navigation

Then his Excellency proceeded to Publish the said Acts with the usual solemnity

At a Council held at Fort George in New York, Sept 5th, 1728.

PRESENT—

His Excellency Jⁿ MONTGOMERIE, Esq^r, &c,

Mr VAN DAM,
Mr CLARKE,
Mr HARRISON,

Mr ALEXANDER,
Mr LEWIS MORRIS, Jun^r,
Mr ABRAHAM VAN HORN.

Mr Morris Jun^r Chairman of the Committee to whom was Committed the Bill Entitled, An Act for the more Easy acknowledgment of Deeds acquainted the Board that the Committee had considered of the same and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Morris in his place Reported that the said Committee had gone through the said Bill and made some Amendments thereto.

Amendments to the Bill Entitled, An Act for the more easy acknowledgment of Deeds viz^t At the End of the Title of the Bill add these words viz^t [and Preventing frauds in Conveyancing of Lands] Leave out the first twenty Lines of the first Page, and in Line 21st of the same Page leave out the words [be Declared and Enacted and] and in lieu thereof insert these words [for the Effectual Acknowledging Proving and Recording of all Deeds Conveyances and Evidences of Land]

Line the first of the second Page leave out the words [as well for any one] and in the second Line of the same Page leave out the words [of his Majestys Justices of the Peace in their Respective Countys as for] and in lieu thereof insert these words [for any of]

Line the 4th of the 2^d Page between the word [Pleas] and the word [to] insert these words [or any two of his Majestys Justices of the Peace in their Respective Countys]

Line 4th of the same Page Leave out the word [acknowledgments] and in lieu thereof insert the words [acknowledgment or Proof]

Line 10th of the same Page leave out the word [Justice] and in lieu thereof insert the word [Justices]

Line y^e 12th of the same Page leave out the word [Material]

Line y^e 16th of the same Page leave out the word [hand] and in lieu thereof insert these words [or their hands]

And in the same Page betwixt the Line 19 and Line 20 insert these clauses—

And be it Enacted by the Authority aforesaid that where any Razure or Interlineation is found in any Deed Brought to be acknowledged besides such as are specified in a Memorandum upon the same before the sealing and witnessing thereof the Councillor, Judge or Justices of the Peace taking the acknowledgment shall Examine the Grantors whether these be part of the Deed and shall make particular mention in the Endorsement of Every such Razure and interlineation and that the Grantors acknowledged them to be part of the Deed and without such acknowledgment of the Grantors such Deed in that case shall not be Certified to be acknowledged

And be it further Enacted where any Razure or interlineation is found in any Deed brought to be Proved besides such as are Specified in a Memorandum upon the Same before the Sealing and Witnessing thereof the Councillor Judge or Justices of the Peace taking the Proof Shall Examine the Witness or Witnesses upon their Oath whether these were part of the Deed at the time of the Execution thereof, and Shall make particular mention in the Endorsement of every such Razure or interlineation and that the Witness Deposed them to be part of the Deed at the time of the Execution thereof and without such Proof the Witnesses Such Deed Shall not be Certified to be proved

Line the 29th of the 2^d Page Leave out the Word [Razures] and in lieu thereof Insert the Word [obliterations] In the last Page Line the 2^d leave out the Word [Razures] and in lieu thereof insert the word [obliterations]

In the Same Line leave out the words [ought to be]

Line the 5th of the Same Page between the word [Razures] and the word [or] insert the word [obliterations] And in the Same line leave out the Words [as well] and in lieu thereof insert these words [Respectively made]

Line the 6th of the Same Page Leave out the Word [as] and in lieu thereof jncert the word [and]

Line the 7th of the Same Page between the word [Interlineations] and the word [or] jncert the word [obliterations]

Line the 8th after the Word [that] Ending the Line jncert these words [The Secretary of this Colony or his Deputy]

And after the word [mentioned] Ending the 12th Line jncert these words [And are hereby directed to make no Razures in such Record on any Pretence but when mistakes do happen instead of Raizing shall obliterate the words mistaken by a Stroake of the Pen thro them So as the word may still remain to be understood] and after the word [acknowledged] in the 16th Line of the Same Page jncert these words [or Proved] and after the word [aforesaid] in the Same Line leave out all to the End of the Bill and in lieu thereof jncert the words [or the Record thereof Produced by the Proper Officer in any Court Shall be as good Valid and Effectual in the Law to all jntents, constructions and purposes whatsoever as if the original were then and there Produced and Proved in Court Any Law Custom or usage to the Contrary notwithstanding]

And be it Enacted by the Authority aforesaid that all Deeds and Conveyances made or to be made by a man and his wife of the Estate or Right of Dower of the wife being acknowledged or Proved to have been made by the Husband as aforesaid and being Acknowledged by the Wife on private Examination before any of the Justices of the Supream Court or any of his Majestys Council or any one of the Judges of the Inferiour Courts or any two Justices of the Peace in their Respective Countys to have been made by her freely and without fear threats or Compulsion of her Husband shall be good and Effectual to Convey the Lands Estate or Right thereby mentioned to be conveyed any Law Usage or Custom to the Contrary notwithstanding

And be it further Enacted by the Authority aforesaid, That from and after the first day of June which will be in the year of Our Lord One thousand Seven hundred and twenty nine, Noe Grants Deeds or other Conveyances whatsoever of any Lands or Tenements within this Province to be made after the Said first day of June Shall be of Any force Power or validity in Law Unless the Said Grants, Deeds, Mortgages or other Conveyances be Entred and Recorded in the office of the Clerke of the County where such Lands or Tenements doe Lye within Six months after the day of their respective Dates Provided allways and be it further Enacted by the Authority aforesaid that none of the aforesaid Grants Deeds Mortgages or other Conveyances shall be Entered or Recorded until the Party or Partys who did Seal and deliver the Same shall make acknowledgment thereof as aforesaid. And be it further Enacted by the Authority aforesaid that all mortgages already made or to be made before the first day of June aforesaid and acknowledged or proved or hereafter to be acknowledged or proved in manner aforesaid Shall be Recorded in the Office of Clerke of the County where Such Lands and Tenements so mortgaged do Lye within one year after the Publication hereof and in Case any Prior Mortgagees Shall Delay or neglect to Record his or her Mortgage within the time Limited, then the Posterior Mortgage or Conveyance acknowledged or Proved and Recorded as aforesaid shall take place thereof to all jntents and purposes whatsoever

And be it further Enacted by the Authority aforesaid that all mortgages to be made after the said first day of June and Proved or acknowledged as aforesaid shall be recorded in the office of Clerke of the County where such Lands and Tenements so mortgaged do Lye within six months after the Day of their respective Dates and in case any Prior mortgagee shall Delay or neglect to Record his or her mortgage within the time Limited than the Posterior Mortgage or Conveyance acknowledged or Proved and Recorded as aforesaid shall take place thereof to all jntents and Purposes whatsoever.

Provided allways that the said Deeds Mortgages or other conveyances be by the Clerke of the County where such Deeds Mortgages or other Conveyances are Entered transmitted once Every six months or oftener to the Secretarys office at New York with the fees for Recording the same there

Provided allways that if the Clerke shall neglect to transmit the said Record as aforesaid that then such neglect of the Clerke shall not prejudice the right of any Person claiming such Lands by vertue of such Deeds Mortgages or Conveyances as aforesaid, but that for such neglect the said Clerke shall Loose his place.

Provided allways that all Mortgages, Conveyances and other writings made in Great Britain or Ireland for Lands within this Province being Proved or acknowledged before the Mayor of London, Edenborough or Dublin and certified under the City Seals or proved or acknowledged in this Province in manner aforesaid shall be Recorded as aforesaid within two years after their respective Dates and all Mortgages Conveyances or other writings made in any of his Majestys Plantations Proved or acknowledged and Certified under the Great Seal of such Colony or Proved or acknowledged in this Province in manner aforesaid shall be Recorded as aforesaid within one year after their respective Dates.

By his Excellency in Council

Is ROBIN D. CL. Conn.

Ordered, that the said Bill be Read the third time as Amended

Then the said Bill was Read the third time as Amended and past

Ordered, that Mr Morris Junr do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the Bill with the Amendment made thereto and desire their concurrence to the same

A Message from the Assembly by Coll Beekman with the Bill Entitled, An Act for the better Clearing Regulating and further Laying out Publick High Roads in Dutchess County and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the Assembly by Mr Livingston with the Bill Entitled, An Act to Impower and direct the Treasurer of this Colony for the time being, to Deliver up a certain Bond Entered into by Gilbert Livingston for his Contract upon the Farm of the Excise in this Colony and desiring the concurrence of this Board

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the Assembly by Cap^t Renselaer with the Bill Entitled, An Act for the frequent calling and holding General Assemblys in the Colony of New York and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the Assembly by Cap^t Rutgers with the Bill Entitled, An Act for Naturalizing Jan De Wit Peteriz, Mary Reneau The wife of Andrew Reneau, Ezekiel Barbauld and Jaques Gabriel Buvelot and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a Second Reading

At a Council held at Fort George in New York, Septembr y^e 10th, 1728.

PRESENT—

His Excellency JN^o MONTGOMERIE, Esq^r, &c^a,

Cap^t WALTER,
Mr VAN DAM,
Mr HARISON,
Mr ALEXANDER,

Mr MORRIS, Junr,
Mr ABRAHAM VAN HORN,
Mr W^m PROVOOST.

The Petition of Albert Pawling and Catherina his wife and Gilbert Livingston and Cornelia his wife Seting forth that jntending to apply for An Act of General Assembly of this Province to Dispose of certain Tracts of Land Scituate and Lying in the Countys of Ulster and Dutchess and City of New York in order to raise moneys sullicient for Dividing and apportionating such part of said Tracts as shall by them be Reserved and Remain unsold and for the better ascertaining and assuring the Titles by the Petitioners already made of Lands granted to a considerable number of poor Palatines, that the Pet^{rs} are advisd that the fee simple thereof was in said Catherine and Cornelia by the last Will and Testament of their Father Coll. Henry Beekman deceased, but for as much as they are obstructed by Doubts and Scruples arising upon the construction of said Will and spread about by ill meaning Persons and the same not being to be cleared to the Satisfaction of People Ignorant of the Law than by Act of Assembly Empowering them to dispose of said Land and that they had in pursuance of an Instruction from the Regency in his late Majestys name to his late Excellency William Burnet, Esq^r or the Gov for the time being, given due notice of their jntentions to apply for such an Act

Therefore pray that the said notifications and affidavits by which it will appear, they have fully complied with the said Instruction may be Read and that his Excellency may be Induced to give his assent to a Bill to be brought into the Hon^{ble} House of Representatives for the Ends aforesaid, Was Read as likewise the notifications and affidavits thereupon

M^{rs} Johanna Beekman, the widow of the Testator M^r Catherina Beekman, now the wife of Cap^t Pawling, Cornelia Beekman now the wife of M^r Gilbert Livingston, the daughters of the said deceased and Henry Beekman the son and heir at Law of the said Coll. Henry Beekman deceased, all attending without were called in

Then his Excellency put the question to the widdow of the Testator whether she believed the Will mentioned in the said Petition was according to the jntent and meaning of her Husband Coll Beekman? Upon which she replied, she believed not, for that she always understood it to be the jntent of her said Husband that his Estate should be equally Divided amongst his

children, and that she consented to the passing of An Act according to the prayer of the Petition

Then his Excellency put the question to M^{rs} Pawling and M^{rs} Livingston, Whether they consented to the passing the Act prayed for in the said Petition? Which they answered in the Affirmative.

His Excellency put a further question to them—Whether their consenting to the passing such An Act was without Threats or Compulsion from their said Husbands? To which they answered it was without any compulsion

His Excellency put the question to M^r Beekman likewise Whether he consented to the Act prayed for? Who after Reading the said Petition, gave his consent to passing said Act

Then all the partys withdrew

Upon the whole it is the opinion of this Board that the said Notices are agreeable to the intent and meaning of the said Instruction & y^t leave be given to bring in a Bi l to the Assembly accordingly

The Memorial of his Majestys Attorney General of this Province Seting forth that by An Act of Assembly of this Province passed Novemb^r last Entitled, An Act for defraying the cost and Contingent charges at the Trading House Erected at Oswego and the maintaining it during the time therein mentioned &c^a it was Enacted among other things that in case either the Mayor Recorder and Aldermen of the City of Albany shall refuse or neglect to Execute the Powers and directions given them by that Act according to the true intent and meaning thereof they & Each of them should forfeit £400 to be Recovered as directed by said Act and by which Act he is directed to prosecute the offender, and that the said Corporation have not conform'd themselves according to said Act That the memorialist being informed that the present Assembly are preparing a Bill to alter the Tenor of that Act

Therefore prays that what he offers in his said Memorial may be taken into consideration before any such Act do pass, was Read

Ordered, that the said Memorial do lye on the Table to be considered off when such Act shall come before this Board

The Bill Entitled, An Act for the better clearing regulating and further laying out Publick High Roads in Dutchess County Was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act to Impower and direct the Governour of this Colony for the time being to Deliver up a certain Bond Entered into by Gilbert Livingston for his Contract upon the Farm of the Excise in this Colony Was Read the second time and Committed to the Gentlemen of the Conneil or any five of them.

The Bill Entitled, An Act for the frequent calling and holding General Assemblys in the Colony of New York was Read the second time and Committed to the Gentlemen of this Board or any live of them

The Bill Entitled, An Act for Naturalizing Jan De Wit Peteriz, Mary Reneau, the wife of Andrew Reneau, Ezekiel Barbauld and Jaques Gabriel Buvelot Was Read the second time and Committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, Septemb^r 11th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Cap^t WALTER,
M^r VAN DAM,
M^r CLARKE,
M^r HARISON,

M^r ALEXANDER,
M^r MORRIS, Jun^r,
M^r W^m PROVOOST.

M^r Harison in his place Reported from the Committee to whom was Committed the Bill Entitled, An Act to amend the Practice of the Law and to Regulate the giving of Special Bail, that they had gone through the said Bill and was Ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then M^r Harison in his place Reported that they had gone through the said Bill with some amendments

Ordered, that the said Bill be Read the third time with the Amendments

Then the said Bill was Read the third time as amended

Ordered, that M^r Harison do carry the said Bill with the Amendments made thereto to the House of Representatives and desire their concurrence to the same

Then the said Committee moved that y^e Judges of y^e Sup. C^{ur}. be served with a copy of the said Act and that they give their opinion thereupon to this Board before next Assembly in order that the conveniency and inconveniencies of the said Act may be seen

Ordered accordingly

Mr Morris Junr in his place Reported from the Committee to whom was Committed the four following Bills, viz^t The Bill Entituled, An Act for better Clearing Regulating and further laying out Publick High Roads in the County of West Chester. The Bill Entituled, An Act to Impower and Direct the Treasurer of this Colony for the time being to Deliver up a certain Bond Entered into by Gilbert Livingston for his Contract upon the Farm of the Excise in this Colony. The Bill Entituled, An Act for the better Clearing, Regulating and further Laying out Publick High Roads in Dutchess County, and the Bill Entituled, An Act for Naturalizing Jan De Wit Peteriz, Mary Rencau the Wife of Andrew Rencau, Ezekiel Barbauld and Jacques Gabriel Bayvelot, That they had gone through the said Bills and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Morris in his place Reported that they had gone through the said Bill without any amendments

Ordered, that the said Bills be Read the third time

Then the said Bills were Read the third time and past without any amendments

Ordered that Mr Morris do acquaint the House of Representatives that this Board has past the said Bills without any amendments

Mr Morris likewise in his place Reported that the said Committee to whom was referred the Bill Entituled, An Act for the frequent calling and holding General Assemblies in the Colony of New York, that they had gone through the said Bill and was Ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately

Then Mr Morris in his place reported that they had gone through the said Bill with an Amendment

Ordered, that the said Bill be Read the third time as Amended

Then the said Bill was Read the third time as Amended

Ordered, that Mr Morris Junr do carry the said Bill with the Amendment made thereto to the House and desire their concurrence to the same

A Message from the Assembly by Majr Symis with the Bill Entituled, An Act to prevent Damages by Swine in the Precinct of Tappan and some other parts contiguous thereto in the County of Orange and desiring the concurrence of this Board thereto

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the Assembly by Mr Merrill with the Bill Entituled, An Act to Enable the Justices of the Peace in the County of Richmond to Build a County House and a new Goal in the said County

A Message from the Assembly by Cap^t Van Horn with the Bill Entituled, An Act to raise the sum of one hundred and sixty eight pounds sixteen shillings and five pence^o half pefny in the City and County of New York for discharging the Debts and Demands therein mentioned, and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be Read the first time

Then the said Bill was Read the first time and

Ordered, a second Reading

At a Council held at Fort George in New York, Septembr^r 12th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr VAN DAM,

Mr CLARKE,

Mr HARRISON,

Mr ALEXANDER,

Mr MORRIS, Junr,

Mr ABRAH. VAN HORN,

Mr W^m PROVOOST,

Mr KENNEDY.

A Message from the Assembly by Coll. Schuyler acquainting this Board that they cannot agree to the Amendment, made by the Council to the Bill Entituled, An Act for the frequent calling and holding General Assemblies in the Colony of New York Was Read

The question was put—

Whether this Board adhere to their Amendment to the said Bill?

Resolved, that this Board do adhere to the Amendment made to the said Bill

Ordered, that Mr Morris Junr do acquaint the house of Representatives that this Board does adhere to the Amendment made to the said Bill

The Bill Entituled, An Act to prevent Damage by Swine in the Precinct of Tappan and some other parts contiguous thereto in the County of Orange Was Read the second time and Committed to the Gentlemen of the Board or any live of them

The Bill Entituled, An Act to Enable the Justices of the Peace in the County of Richmond to Build a County House and a new Goal in the said County Was Read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to raise the sum of one hundred and sixty eight pounds sixteen shillings and five pence half penny in the City and County of New York Was Read the second time and Committed to the Gentlemen of this Board or any five of them

His Excellency withdrawing The Gentlemen of the Board Resolved into a Committee

His Ex^{ty} returning to the Council Chamber took his place

Post Meridiem

PRESENT as before

Mr Van Dam in his place Reported from the Committee to whom was Committed the two following Bills viz^t The Bill Entituled, An Act to prevent Damage by Swine in the Precinct of Tappan and some other parts contiguous thereto in the County of Orange, and the Bill Entituled, An Act to Enable the Justices of the Peace in the County of Richmond to Build a County House and a new Goal in the said County, That they had gone through the said Bills and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Van Dam in his place Reported that they had gone through the said Bills without any amendments

Ordered, that the said Bills be Read the third time

Then the said Bills were Read the third time and past without amendments

Ordered, that Mr Van Dam do acquaint the House of Representatives that this Board has past the said Bills without any amendments

Ordered, that Captain Gerrit Van Horn, Johannes Jansen, Catalina Kip the widdow of Jacobus Kip, William Dugdale Esq^r and Rich^d Nicholls Esq^r the Persons claiming by a Bill Entituled, An Act to raise the sum of one hundred and sixty eight pounds sixteen shillings and five pence half penny in the City and County of New York for Discharging the Debts and Demands therein mentioned Do appear before a Committee of this Board in the Council Chamber at the hour of ten to morrow morning with their proper certificates and vouchers of their services mentioned in the said Act

At a Council held at Fort George in New York, September y^e 13th, 1728.

PRESENT —

His Excell^{cy} J^N^o MONTGOMERIE, Esq^r, &c^a,

Mr VAN DAM,
Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr MORRIS, Jun^r,
Mr ABRAHAM VAN HORN,
Mr W^m PROVOOST.

Mr Van Dam in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act to raise the sum of one hundred and sixty eight pounds sixteen shillings and five pence half penny in the City and County of New York, for Discharging the Debts and Demands therein mentioned, that they had gone through the said Bill and was Ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately

Then Mr Van Dam in his place Reported that they had gone through the said Bill without any amendments

Ordered, that the said Bill be Read the third time

Then the said Bill was Read the third time and past without amendments

Ordered, that Mr Van Dam do acquaint the House of Representatives that this Board has past the said Bills without amendments

A Message from the Assembly by Mr Willet with the Bill Entituled, An Act to Amend the practice of the Law and to Regulate the giving of Special Bail Acquainting this Board that they have agreed to the Amendments made by this Board to the Said Bill and have made an Amendment to those of the Council Was Read

Then the question was put

Whether this Board agreed to the Amendment of that House made to the Amendments of this Board to the Said Bill?

Resolved, that this Board does not Agree to the Amendment of that House.

Ordered, that Mr Harison do acquaint the house of Representatives that this Board does not agree to the amendment of that house made to the Amendments of this Board to the Said Bill

Mr Alexander in his place Read a Representation Concerning the Minutes taken by the Committee that Enquired about the grievances complained of by the Resolves of the Assembly of the 25th of November last, which being Read was accepted of by the Board and is as follows:—

May it please your Excellency,

We do humbly begg leave to Acquaint you that the order of this Board made on Saturday the thirty first day of August last, for Laying before this Board the Minutes taken by the Committee that Enquired Concerning the Grievances complained of by the Resolves of Assembly of the 25th of November last was served on Cadwallader Colden Esq^r Chairman of this Committee the moment he was going from this Place to his family in the Country by leave from your Excellency who then delivered to us the Said Minutes

But we humbly begg leave to Acquaint your Excellency and this Board that we have many reasons why they should not be Entered on the minutes of this Board, in order that with our Representation they might also appear to the Board of Trade which was proposed as the jntent of the Said Order on the making thereof of which reasons we shall now mention only four and if these are not Esteemed Sufficient we shall begg leave to lay Some more before this Board for their Consideration

1st That Sundry of the members of this Committee did give their words and honours to Some of the Persons whose Depositions were taken that we Should never disclose them to their prejudice which we Conceived we might give in regard that if there was any necessity afterwards for their Depositions they might be amongst others Examined De Novo, By which like Depositions might be had without any necessity of knowing, that they had been Examined before, and that if the Depositions be Entered on the Minutes of this Board, it's possible accidents may happen (out of our Power to prevent) by which not only the Persons names may be Discovered, but also the matters they have Deposed. If which by any Accident Should happen its Submitted whether not only our words and honours would be forfeited, But also whether an Opportunity might not thereby be given to the Guilty to tamper with the Witnesses who deposed before us

2^{dly} Whether if any Such accident should happen as that of the Discovery of the Witnesses names (who freely gave us informations) and the matters they have Deposed, It might not be the highest prejudice to his Majestys interest here and Even Endanger the Dependence of this Province Seeing in all probability these Witnesses would be thereby Laid open to the like violent Slanders, Clamours and Threats with which Some of us have been Loaded, and Especially Seeing its notorious threats of Expulsion have been Spread about of any member that Should discover the Secrets of the House of Representatives, and whether that fate (happening to those Witnesses would not Deter every Person hereafter to make any Discovery of the actions of the House of Representatives, If Even Such a thing should ever happen (which God forbid) that they should be there deliberating methods to throw off their Dependence on the Crown, Especially when so bold a Step by them is made as that by their Resolves of the 30th of July last to Claim the Priviledge of being no way accountable to any Person or Persons for what they do, which can only belong to a Supream and Independent Power, and Seeing they Resolve to take Effectual Measures to Secure that assumed Priviledge to themselves, than which we conceive a more, Effectual way Cannot be than the Suffering of these Witnesses to undergo the Resentment of the House

3^{dly} Seeing the Assembly are so bold by their Resolves of the 30th of July as to Lay their Commands on the Clerk of this Board to Discover the proceedings thereof with which Commands he has been actually served, whether if these Depositions were in his Custody it might not Expose him to violence from them to compell him to Discover them, For if they have right to give such order They of consequence have right to Enforce it by Compelling him to the obedience thereof, And whether if by that or any other way they should obtain that Discovery the consequences may not reasonably be expected to be, That such of their members who have been so Loyal as to Discover the truth to us, will be immediately Expelled, and the greatest odium fixt upon them and they and other Persons laid open to their highest displeasure, and whether that would not be in Effect Establishing Loyalty for a crime, and be encouraging all the attempts that can be made by them on the Prerogative, and whether that would not be opening a Plain gate for the independence of this Colony Besides the giving an opportunity to tamper with the witnesses as heireinbefore is hinted

4^{thly} That the practice has been heretofore on matters referred to Committees of this Board if in their nature short and Easy, to take no minutes at all, but barely to make a Report, and in matters Difficult only to take minutes in order for the better memories of the members in forming their Report, and when the Report was approved of have not been hardly at any time preserved, However we have preserved these minutes rough as they were taken, and are ready to Lodge them in his Excellencys hands, to the End that his Excellency may transmit them or attested cyps thereof (as his Excellency shall think most proper) to the Board of Trade along with our Representation, and its humbly submitted whether that will not answer all the purposes Designed by the said order

JA : ALEXANDER
LEWIS MORRIS JUN^r

Ordered, that the Delivering the minutes of the Committee mentioned in the said Representation to his Ex^{ty} be accepted of as a compliance wth y^e order of this Board of the 31st of August last

At a Council held at Fort George in New York, September the 18th, 1728.

PRESENT —

His Excell^y JN^o MONTGOMERIE, Esq^r, &c.,

Cap^t WALTER,
M^r VAN DAM,
M^r HARISON,
M^r ALEXANDER,

M^r MORRIS, Jun^r,
M^r W^m PROVOST,
M^r KENNEDY.

A Message from the Assembly by Major Symms Acquainting this Board that they do recede from their Amendment made to the Amendments of this Board to the Bill entituled, An Act to Amend the practice of the Law and to regulate the giving of special Bail

A Message from the Assembly by Maj^r Hutchinson with the Bill entituled, An Act for the better perfecting and compleating a publick common Highway through the County of Ulster and desiring the concurrence of the Board thereto

Ordered, that the said Bill be read the first Time

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by M^r Gerritsen with the Bill Entituled, An Act for Naturalizing Thomas Timmer and Desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first Time

Then the said Bill was read the first time and

Ordered a second Reading

The Bill entituled, An Act for the better perfecting and compleating a publick common Highway thro' the County of Ulster

Ordered, that the said Bill be read the Second Time

Then the said Bill was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for Naturalizing Thomas Timmer Was read the second time and Committed to the Gentlemen of this Board or any five of them.

His Excellency withdrawing The Gentlemen of the Board resolved into a Committee

His Excellency returning to the Council Chamber took his place

Post Meridiem

PRESENT as before

M^r Harison Chairman of the Committee to whom was Committed the two following Bills viz The Bill Entituled, An Act for the better perfecting and Compleating a publick Common Highway through the County of Ulster and the Bill Entituled, An Act for Naturalizing Thomas Timmer in his place reported from the said Committee that they had gone through the said Bills and was ready to make their report when this Board would receive the same.

Ordered, that the said Report be made Immediately.

Then M^r Harison in his place Reported that they had gone through the said Bills without any Amendments

Ordered, that the said Bills be read the third time

Then the said Bills were read the third time and past without any amendments

Ordered, that M^r Harison do acquaint the House of Representatives that this Board has past the said Bills without any Amendments

At a Council held at Fort George in New York, September the 19th, 1728.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c.,

Cap^t WALTER,
M^r. VAN DAM,
M^r CLARKE,
M^r HARISON,

M^r ALEXANDER,
M^r MORRIS Jun^r,
M^r ABRAH VAN HORNE,
M^r PHILL LIVINGSTON.

A Message from the Assembly by M^r Merril with the Bill entituled, An Act for regulating Fences for the several Citys and Countys within this Colony of New York and desiring the Concurrence of this Board Thereto

Ordered, that the Said Bill be read the first Time

Then the said Bill was read the first Time and

Ordered a second reading

A Message from the Assembly by M^r Willet with the Bill Entitled, An Act to Let to Farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for declaring Shrubb Lyable to the same dutys as distilled Liquers and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the First Time and

Ordered a Second Reading

A Message from the Assembly by Coll. Myndert Schuyler with the Bill Entitled, An Act for confirming the Act therein mentioned with some alterations and additions for paying provisions and other stores and services already furnished and done for the use of the Trading house at Oswego and for subsisting it during the time therein mentioned for borrowing money for those purposes and providing Fonds for the repayment thereof and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the First Time

Then the said Bill was read the first Time and

Ordered a second reading

Then The said Bill was read the second time and committed to the Gentlemen of the Board or any five of them

His Excellency withdrawing The Gentlemen resolved in a Committee

After some time his Excellency returning to the Conneil Chamber took his place

Post Meridiem

PRESENT as before

M^r Harison in his place reported from the Committee to whom was Committed the Bill entituled, An Act for regulating fences for the severall Citys and Countys within this Colony of New York that they had gone through the said Bill and was ready to make their report when this Board would please to receive the same

Ordered, That the said report be made Immediately

Then M^r Harison in his place reported that they had gone through the said Bill with some amendments

Then the said Bill was Read the Third time as amended

Ordered, that M^r Harison do cary the said Bill with the amendments made thereto to the house of representatives and desire their concurrence to the same

M^r Harison Likewise reported from the said Committee that they had gone through the Bill entituled, An Act to Let to ffarm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for declaring Shrub Lyable to the same dutys as distilled Liquors without any amendments

Ordered, that the said Bill be read a third Time

Then the said Bill was read the third time and past without amendment.

Ordered, That M^r Harison do acquaint The house of Representatives that this Board has past the said Bill without any amendments

M^r Harison further reported from the said Committee that they had gone through the Bill Entituled, An Act for confirming the Act therein mentioned with some alterations and additions for paying provisions and other stores and services already furnished and done for the use of the Trading House at Oswego, and for subsisting it during the time therein mentioned for borrowing money for those purposes and providing Fonds for the repayment thereof without any amendments.

Then M^r Harison from the said Committee acquainted his Excellency and Council of the hardships this Board lyes under by the Assemblys sending Bills so late to this Board which he represented to the Board in the following Words viz^t

That we are sensible that The House lays this Board under hardships by sending up Bills of Importance so Late that we have not due time to consider them and we wish your Excellency at the beginning of the next Session would provide against so great an inconvenience in such manner as to your Excellencys wisdom shall seem most Expedient.

The Bill remits several fines forfeitures and penaltys the latter of which are created by the Common Law of England but the necessity of supporting his Majestys Garrison of Oswego induces us to consent to this Act Least that Garison and our Indian Trade and Interest wth the Indian Nations should be lost by any disptes which might arise between the Conneil and Assembly upon a more regular method of supporting both, and we are the Less inclined to refuse this Bill altho' we have now the Leizure to consider some of the ill consequences attending it as the support of the House at Oswego and the real good purposes thereof will be thereby effected Altho' his Majesty should upon Consideration of any other matters therein contained dissallow the same Wherefore we report the Bill without any Amendments

Whereupon his Excellency acquainted the Board that he would neglect nothing that might be thought advisable by this Board to prevent the Inconveniencies before mentioned

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has past the said Bill without Amendments

A Message from the Assembly by Mr Phillip Schuyler with the Bill Entituled, An Act for raising and Levying the sum of two hundred pounds for repairing the Barracks in his Majestys Fort George in the City of New York and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the First time

Then the said Bill was read the first time and

Ordered a second reading

Then the said Bill was read the second time and Committed to the Gentlemen of this Board or any five of them

His Excellency withdrawing The Gentlemen resolved into a Committee

After some time his Excellency returning to the Council Chamber took his place

Then Mr Harison in his place Reported from the Committee to whom was Committed the said Bill that they had gone through the said Bill and was Ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Harison in his place reported that they had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without Amendments

Ordered, that Mr Harison do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

At a Council held at Fort George in New York, September 21st, 1728.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Cap^t WALTER,

Mr VAN DAM,

Mr CLARKE,

Mr HARISON,

Mr ALEXANDER,

Mr ABRAH VAN HORNE,

Mr W^m PROVOOST.

Mr Phillip Livingston one of the Members of this Board prays that it may be remembered that in the Committee upon the Bill Entituled, An Act for confirming An Act therein mentioned with some alterations and additions for paying provisions and other stores and services already furnished and done for the use of the Trading House at Oswego, he did object to that clause thereof which insinuates that the Town Clerk of Albany had been Guilty of a Breach of An Act therein mentioned and which remits the penalty for that breach he being the said Town Clerk did yesterday in Council and now by these presents doth declare that he was not guilty of any breach of that Act and that he had never directly or indirectly desired any remittance of the penalty for any breach of the said Act and prays that this his declaration may be Entred in the minutes

Which is granted accordingly

Ordered, that the Deputy Clerk of the Board do acquaint the house of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Bills viz^t

1 An Act for Better Clearing Regulating and further Laying out publick highroads in the County of Westchester

2 An Act to empower and direct the Treasurer of this Colony for the time being to deliver up a certain Bond Entred into by Gilbert Livingston for his Contract upon the Farm of the Excise in this Colony.

3 An Act for the better Clearing regulating and further Laying out publick highroads in Dutchess County

4 An Act for Naturalizing Jan De Wit Peterse, Mary Reneaw the wife of Andrew Reneaw Ezekiel Burbanld and Jaques Gabriel Buvolet

5 An Act to Amend the practice of the Law and to regulate the giving of Special Bayl

6 An Act to Enable the Justices of the peace in the County of Richmond to build a County house and a new Goal in the said County.

7 An Act to prevent Damage by Swine in the precinct of Tappan and some other parts contiguous thereto in the County of Orange

8 An Act to raise the sum of one hundred and sixty eight pounds sixteen shillings and five pence half penny in the City and County of New York for discharging the Debts and Demands therein mentioned

9. An Act for Naturalizing Thomas Timmer

10. An Act for the better perfecting and compleating a publick common highway through the County of Ulster

11. An Act to Let to Farm the Excise of Strong Liquors Retailed in this Colony for the time therein mentioned and for declaring Shrub Lyable to the same Dutys as distilled Liquors

12. An Act for regulating Fences for the several Citys and Countys within the Province of New York

13. An Act for confirming the Act therein mentioned with some alterations and additions for paying provisions and other stores and services already furnished and done for the use of the trading house at Oswego and for subsisting it during the time therein mentioned for borrowing money for those purposes and providing Fonds for the Repayment thereof

14. An Act for raising and Levying the sum of two hundred pounds for repairing the Barracks in his Majestys Fort George in the City of New York

Then his Excellency recommended the House to adjourn themselves untill the first Tuesday in April next.

TWENTIETH ASSEMBLY SECOND SESSION.

At a Council held at Fort George in New York, May the 5th, (Sic for 14th) 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr VAN DAM,

Mr HARISON,

Mr CLARKE,

Mr KENNEDY.

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The Assembly accordingly attended with their Speaker, His Excellency made the following Speech to them in *Hæc Verba*

Gentlemen

I have called you together, to concert, and concurr with you in advancing the Interest and Prosperity of this Province: and I take this occasion of Acquainting you, that Since your adjournment, I met the Six Nations of Indians at Albany, and I do assure you with great pleasure and Satisfaction, that I find them thoroughly attached to our interest, you will see this Confirmed by their Publick Conferences with me, which if you desire shall be laid before you

They think the House at Oswego which has been Builded and hitherto Supported by you, of so great Consequence to themselves and us that they expect you will keep a Garrison there, and we Shall appear very Contemptible in the Eyes of the World, if you do not Seasonably and Amply provide for the maintenance and Support of it, which I earnestly and heartily recommend to you.

The Indians on their part promise to assist us against any Power that dares to attack it

I am sorry that the Expenses of that place has been so Burthensome to the Province, but I believe there will be methods proposed to you of doing it at far less Charge, than what it has hitherto Cost you. I leave that entirely to your Consideration not doubting but you will Provide for it effectually, and the less Expençe the Province is at, it will be the more pleasing to me

I have one thing more to recommend to you, which is appointing An Agent to Solicite your affairs at the Court of Great Britain, and I must take this occasion of doing Justice to the Gentleman you last employed, by letting you know that to my certain knowledge, he Served you Diligently and honestly, and very well deserves the Continuance of the trust you reposed in him.

J. MONTGOMERIE

At a Council held at Fort George in New York, June the 5th, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r,

M^r VAN DAM,
M^r CLARKE,
M^r ALEXANDER,

M^r ABRAHAM VAN HORNE,
M^r KENNEDY.

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act for the more Easy acknowledgement of Deeds and the Amendments of the Board thereto the last Sessions acquainting this Board that the Assembly cannot agree to the first Amendment of this Board to be added to the title of the Bill They also can not agree to the leaving out the first seven Lines of the Bill but do agree to leave out the remainder of their Amendments in the first page and that that House disagree to all the other Amendments made by this Board to the said Bill and that they desire the concurrence of this Board thereto.

Ordered, that the said Message be Committed to the consideration of the Gentlemen of this Board or any five of them & that the said Bill be recommitted to the same Committee

A Message from the Assembly by Captain Glen with the Bill Entituled, An Act to Impower the Justices of the Peace of the County of Albany living or dwelling in the Township of Schenectady in the said County to regulate the streets and Highways and to prevent accidents by Fire in the said Town and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first Time.

Then the said Bill was read the First time and

Ordered a second Reading

A Message from the Assembly by Major Plat with the Bill Entituled, An Act for the further Continuing An Act Entituled, An Act for the farther Laying out, Regulating and better clearing publick highways in the County of Suffolk and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first Time

Then the said Bill was Read the first Time and

Ordered a second Reading

At a Council held at Fort George in New York, June the 12th, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

M^r ALEXANDER,
M^r MORRIS, Jun^r,
M^r W^m PROVOOST.

The Bill Entituled, An Act for the further Continuing An Act Entituled, An Act for the further Laying out Regulating and better clearing publick Highways in the County of Suffolk Was read the second time, and Committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Impower the Justices of the peace of the County of Albany Living or dwelling in the Township of Schenectady in the said County to regulate the streets and Highways and to prevent accidents by Fire in the said Town Was read the second time and Committed to the Gentlemen of the Board or any five of them

A Message from the Assembly by Cap^t Rutgers with the Bill Entituled, An Act for the further continuing the Currency of Bills of Credit struck and Issued in the year one thousand seven hundred and twenty, to the value of five thousand ounces of plate until the first day of July one thousand seven hundred & thirty and desiring the concurrence of this Board thereto

Ordered, that the Said Bill be read the first Time

Then the Said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Coll Myndert Schuyler with the Bill Entituled, An Act to Lett to farm the Excise of Strong Liquors Retaild in this Colony for the time therein mentioned and For declaring Shrub Lyable to the Same dutys as Distilled Liquors and Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly by Major Ranslear with the Bill Entituled, An Act to prevent Dissertion from his Majestys forces in the province of New York and desiring the Concurrence of this Board thereto

Ordered, That the Said Bill be read the first time

Then the Said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Mr Speaker, Mr De Lancey and Major Phillipse desiring his Excellency and the Gentlemen of this Board will be pleased to Join with them in a proper Representation to obtain An Act of parliament for the Importation of Salt from Europe into this Colony which they Conceive will be A Vast advantage to the Countrey and the navigation thereof was read

Whereupon it is

Ordered, that the Deputy Clerk of this Board do Acquaint the House of Representatives that this Board has appointed Mr Van Dam, Mr Clarke, Mr Harison, Mr Alexander and Mr Kennedy or any three of them to be a Committee to Joyn a Committee of that House in Drawing a proper Representation for the purposes afores^d And that the Said Committee will meet in order thereto at the House of Obadiah Hunt in this City too Morrow at five a Clock in the Afternoon

At a Council held at Fort George in New York, June 13th, 1729.

PRESENT —

His Exc^y JOHN MONTGOMERIE, Esq^r, &c^a,

Mr CLARKE,

Mr HARISON,

Mr ALEXANDER,

Mr MORRIS, Jun^r,

Mr W^m PROVOOST,

Mr KENNEDY.

Mr Morris in his place reported from the Committee to whom was recommitted the Bill Entituled, An Act for the more Easy Acknowledgement of Deeds that they had further Considered of the Said Bill together with a Message of the House of Representatives of the 22^d of May Last relating to the Amendments made by this Board thereto and was ready to make their report when this Board would please to receive the Same

Ordered, that the said Report be made immediatly

Then Mr Morris in his place reported that they had gone through the said Bill a second time and considered of the said message and that they adhered to their amendments to the said Bill

Then his Excellency put the Question

Whether the Board adher'd to their Amendments made to the said Bill?

Which was answered in the affirmative

Resolved, that this Board do adhere to their Amendments to the said Bill

Ordered, that Mr Morris Jun^r do acquaint the House of Representatives thereof, and at the same time he further acquaint them that this Board desires that House will be pleased to appoint a Committee to Join a Committee of this Board in a conference upon the subject matter of the said Bill and the amendments to the same

The Bill Entituled, An Act for the further continuing the Currency of Bills of Credit struck and issued in the year one thousand seven hundred and twenty to the value of five thousand ounces of plate until the first day of July one thousand seven hundred and thirty was read the second time and committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act to Continue An Act Entituled, An Act to Let to farm the Excise of Strong Liquors Retailed in This Colony for the Time therein mentioned and for declaring Shrub lyable to the same dutys as distilled Liquors was read the Second Time and committed to the Gentlemen of this Board or any five of them

The Bill Entituled, An Act for Reviving An Act Entituled, An Act to prevent Desertion from his Majestys forces in the province of New York Was read the Second time and committed to the Gentlemen of this Board or any five of them

At a Council held at Fort George in New York, June the 19th, 1729.

PRESENT —

His Excell^y JOHN MONTGOMERIE, Esq^r,

Mr VAN DAM,

Mr CLARKE,

Mr ALEXANDER,

Mr PHIL. LIVINGSTON.

Upon reading an order of the House of Representatives appointing Coll Hicks, Mr Gilbert Livingston, Coll Hutchinson, Coll Phill. Schuyler, Mr Gerritsen, Major Renslaar and Coll Beckman or any five of them to be a Committee of that House to meet a Committee of this Board to conferr upon the subject matter of the Bill Entituled, An Act for the more Easy acknowledgement of Deeds together with the Message of that House of the 22^d May last relating to the amendments of this Board thereto. It is

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that this Board has appointed the members present with Mr Harison or any five of them to be a

Committee to Join a Committee of that House to Conferr upon the subject matter of the said Bill and the said Message and that they meet at seven a clock in the Evening of this Day at the house of John D'Honneur within this City

Mr Phillip Livingston in his place Reported from the Committee to whom was Committed the Bill entituled, An Act for reviving An Act Entituled, An Act to prevent Disertion from his Majestys Forces in the province of New York that they had gone through the said Bill and was Ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr Livingston in his place Reported that they hade gone through the said Bill and made some additions thereto

Ordered, that the said Bill with the additions made thereto be read the third time

Then the said Bill was read the third Time with the said additions

Ordered, that Mr Livingston do carry the said Bill with the additions made thereto to the House of Representatives and desire their concurrence to the same

Mr Livingston likewise Reported from the Committee to whom was Committed the two following Bills Viz^t the Bill Entituled, An Act for the further continuing the Currency of Bills of Credit struck and issued in the year one thousand seven hundred and twenty to the value of Five thousand ounces of plate until the first day of July one thousand seven hundred & thirty and the Bill Entituled, An Act to continue An Act to Let to Farm the Excise of Strong Liquors Retaild in this Colony for the time therein mentioned & for declaring Shrub Lyable to the same duties as distilled Liquors, that they had gone thro' the said Bills without any Amendments

Ordered, that the said Bills be read the Third Time

Then the said Bills were read the third time and past without any Amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the said Bills without any Amendments

At a Council held at Fort George in New York, June y^e 26th, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c,

Mr VAN DAM,

Mr CLARKE,

Mr HARISON,

Mr MORRIS, Jun^r,

Mr AB^m VAN HORN.

A Message from the Assembly by Coll Phillip Schuyler Acquainting this Board that that house have agreed to the Amendments and additions of this Board to the Bill Entituled, An Act for reviving An Act Entituled, An Act To prevent Desertion from his Majestys Forces in the province of New York

The Bill Entituled, An Act to Confirm the precincts in the County of Richmond was read the Second time & Committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by Coll Chambers with the Bill Entituled, An Act for the better Clearing and further Laying out publick High Roads in the County of Ulster and desiring the Concuurrence of this Board thereto

Ordered, That the Said Bill be read The First Time

Then the Said Bill was read the first Time and

Ordered a Second Reading

At a Council held at Fort George in New York, June the 27th, 1729.

PRESENT —

His Excellency JN^o MONTGOMERIE, Esq^r,

Mr CLARKE,

Mr HARISON,

Mr ALEXANDER,

Mr AB. VAN HORNE,

Mr PHIL LIVINGSTON,

Mr JA^s DE LANCEY.

Ordered, that Mr Harison do Acquaint the House of Representatives that the Committee of this Board by whom reasons were given for the Amendments of the Council to the Bill Entituled, An Act for the more Easy Acknowledgement of Deeds desire a free Conference with the Committee of that House on the Subject matter thereof

The Bill Entituled, An Act for the better Clearing, Regulating and further Laying out Publick High Roads in the County of Ulster Was read the Second time and Committed to the Gentlemen of the Council or any five of them

At a Council held at Fort George in New York, June the 30th, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c.,

Mr VAN DAM,
Mr CLARKE,
Mr HARRISON,

Mr ABRAHAM VAN HORN,
Mr PHILL LIVINGSTON,
Mr JAMES DE LANCEY.

Upon reading the Message from the House of Representatives by Mr Matthews Acquainting this Board that that House do Agree to a free Conference with the Committee of this Board by whom reasons were given for the Amendments of the Council to the Bill Entituled, An Act for the more Easy Acknowledgement of Deeds. It is

Ordered, that Mr Harrison do acquaint the said House that the Committee of the Board by whom the said Reasons were Given will meett the Committee of that House in a free Conference on the subject matter thereof at six a clock in the Evening of this Day at the House of John D'Honneur in this City.

A Message from the Assembly by Coll Hutchinson with the Bill Entituled, An Act for Naturalizing John Frederick Gunter, Phillip Jacob Bomper, Jun^r, Jacques Gabriel Buvolet, Micheal Cario, Samuel Myers, David Hays and Judah Hays and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first Time and

Ordered a Second Reading

A Message from the Assembly by Major Platt with the Bill Entituled, An Act to ascertain the allowance to the Representatives for the County of Suffolk and for other purposes therein mentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first Time and

Ordered a Second Reading

At a Council held at Fort George in New York, July the 2^d, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c.,

Mr CLARKE,
Mr HARRISON,
Mr ABRAHAM VAN HORN,

Mr PHILL LIVINGSTON,
Mr KENNEDY,
Mr JAMES DE LANCEY.

Mr Harrison acquainted the Board that the Committee appointed by the Council to meet a Committee of the House of Representatives in a free Conference on the subject matter of the the amendments made by this Board to the Bill Entituled, An Act for the more Easy Acknowledgment of Deeds, that they had met the Committee of that House accordingly but that the said Committee acquainting them they were not fully Instructed to proceed thereon the Conference broke up.

Wherenpon his Excellency put the Question

Whether the Board adhere to their Amendments to the said Bill?

It passed in the affirmative

Resolved, That the Board do adhere to their amendments to the said Bill

The Bill entituled, An Act to ascertain the allowance of the Representatives for the County of Suffolk and for other purposes therein mentioned was read the second time and committed to the Gentlemen of this Board or any five of them

The Bill entituled, An Act for Naturalizing John Frederick Gunter, Phillip Jacob Bomper, Jun^r, Jacques Gabriel Buvolet, Micheal Cario, Samuel Myers, David Hays and Judah Hays was read the Second Time and Committed to the Gentlemen of this Board or any five of them

A Message from the Assembly by Cap^t Van Horn with the Bill Entituled, An Act for the Effectual recovery of the several Taxes and of the Excise therein mentioned and for securing the dutys on Slaves not imported in the City of New York and for empowering the Treasurer for these purposes and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second Reading

A Message from the Assembly by Major Rauslear with the Bill Entituled, An Act for the better Clearing, Regulatfing and Further Laying out publick High Roads in the City and County of Albany and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second Reading

Mr James De Lancey in his place Reported from the Committee to whom was Committd the Bill Entitled, An Act for the better Clearing, Regulating and further Laying out publick High Roads in the County of Ulster Reported that they had gone through the said Bill and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr Delancey in his place Reported that the said Committee had gone through the said Bill and made some Amendments thereto

Ordered, that the said Bill be read the third time with the Amendments made thereto

Then the said Bill was read the third time as amended and past

Ordered, that Mr De Lancey do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill with the Amendments made thereto and desire their concurrence to the same

Post Meridiem.

At a Council held at Fort George in New York, July 2^d, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c,

Mr CLARKE,

Mr HARISON,

Mr LIVINGSTON,

Mr KENNEDY,

Mr DE LANCEY.

The Bill Entitled, An Act for the effectual recovery of the several taxes and of the Excise therein mentioned and for securing the dutys on Slaves not imported into the City of New York and for empowering the Treasurer for that purpose, was read the second time and Committed to the Gentlemen of this Board or any five of them

The Bill Entitled, An Act for the better Clearing, Regulating and further Laying out publick High roads in the City and County of Albany Was read the Second time and Committed to the Gentlemen of this Board or any five of them

Mr Livingston in his place reported from the Committee to whom was Committed the four following Bills viz^t the Bill entitled, An Act to Continue An Act Entitled, An Act to empower the Justices of the peace of the County of Albany Living or dwelling in the Township of Schenectady in the Said County to regulate the Streets and Highways and to prevent accidents by fire in the Said Town

The Bill entitled, An Act for the further Continuing An Act Entitled, An Act for the further Laying out Regulating and better Clearing publick Highways in the County of Suffolk and for other purposes therein mentioned

And the Bill entitled, An Act to Ascertain the Allowance to the Representatives of the County of Suffolk and for other purposes therein mentioned

And the Bill Entitled, An Act for Naturalizing John Fredrick Gunter, Phillip Jacob Bomper Jun^r, Jaques Gabriel Buvelot, Micheal Cario, Samuel Myers, David Hays and Judah Hays

That they had Gone through the Said Bills and was ready to make their report when this Board would please to receive the Same

Ordered. that the Said Report be made immediatly

Then Mr Livingston in his place reported that the Said Committee had gone through the Said Bills without any Amendments

Ordered, that the Said Bills be read the Third time

Then the Said Bills were Read the third time and past without any Amendments

Ordered, that Mr Livingston do Acquaint the House of Representatives that this Board has past the Said Bills without any Amendments

At a Council held at Fort George in New York, July the 4th, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr VAN DAM,

Mr CLARKE,

Mr HARISON,

Mr AB. VAN HORNE,

Mr LIVINGSTON,

Mr KENNEDY,

Mr JAMES DE LANCEY.

Mr Harison Chairman of the Committee to whom was Committed the Bill Entitled, An Act for the Effectual recovery of the Several taxes & of the Excise therein mentioned & for Securing

the dutys on Slaves not imported in the City of New York and for empowering the Treasurer for that purpose, that they had Gone through the Said Bill and was ready to make their report when this Board would be pleased to receive the Same

Ordered, that the Said Report be made immediately

Then M^r Harison in his place Reported that the Said Committee had gone through the Said Bill and made Some Amendments thereto

Ordered, That the Said Bill be Read the third time as Amended

Then the Said Bill was read the third time as Amended and past

Ordered, that M^r Harison do Acquaint the House of Representatives that this Board has past the Said Bill with Some Amendments made thereto and desire their Concurrence to the Same

Post Meridiem

At a Council held at Fort George in New York, July the 8th, 1729.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, & c^a,

M^r. VAN DAM,

M^r KENNEDY,

M^r HARISON,

M^r JAMES DE LANCEY.

M^r PHIL. LIVINGSTON,

M^r De Lancey in his place reported from the Committee to whom was Committed The Bill entituled, An Act for the better clearing, regulating and Laying out publick Highroads in the City and County of Albany that they had gone through the said Bill and was Ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then M^r De Lancey in his place Reported that the said Committee had gone through the said Bill and made some Amendments thereto

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time as amended and past

Ordered, that M^r De Lancey do acquaint the House of Representatives that this Board has past the said Bill with some Amendments and that he carry the said Bill with the Amendments made thereto to the said House and desire their concurrence to the same

A Message from the Assembly by Coll Gaasbeek acquainting this Board that that House agreed to the amendments made by the Council to the Bill Entituled, An Act for the better Clearing, Regulating and further Laying out Publick High Roads in the County of Ulster

A Message from the Assembly by M^r Livingston with the Bill Entituled, An Act for continuing and Enforcing the Acts therein mentioned, for discharging the present Demands on the Trading House at Oswego, by borrowing money of the Excise, for the Effectual support of it, untill the twenty fifth day of December one thousand seven hundred and thirty three For continuing some Dutys and augmenting others untill that time, For Regulating those Dutys and the Trade at Oswego, For the Gradual Repayment of money borrowed of the Excise and for reducing former Fines if voluntarily paid within the time therein Limited and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, July the 9th, 1729.

PRESENT—

His Excellency JN^o MONTGOMERIE, Esq^r,

M^r VAN DAM,

M^r KENNEDY,

M^r HARISON,

M^r VAN HORN,

M^r PHIL LIVINGSTON,

M^r JAMES De LANCEY,

The Bill Entituled, An Act for the continuing and Enforcing the Acts therein mentioned, for discharging the present demands on the Trading House at Oswego, by borrowing money of the Excise, for the Effectual support of it untill the twenty fifth day of December one thousand seven hundred and thirty three, For continuing some Dutys and augmenting others untill that time, for Regulating those Dutys and the Trade at Oswego, For the Gradual Repayment of money borrowed of the Excise, and for reducing former Fines if voluntarily paid within the time therein mentioned, was read the second time and Committed to the Gentlemen of this Board or any Five of them

At a Council held at Fort George in New York, July the tenth, 1729.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr VAN DAM,
Mr HARISON,
Mr ALEXANDER,
Mr ABRAHAM VAN HORNE,

Mr PHILL LIVINGSTON,
Mr KENNEDY,
Mr JAMES DE LANCEY.

A Message from the House of Representatives by Major Ranslear acquainting this Board that that House have agreed to the amendments made by this Board to the Bill entitled, An Act for the better clearing Regulating and further Laying out publick Highroads in the County of Ulster

A Message from the Assembly by Coll Myndert Schnyler with the Bill Entitled, An Act for raising & Levying the sum of seven hundred & thirty pounds for the uses therein mentioned for borrowing part thereof and for appointing an Agent at the Court of Great Britain and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered a Second Reading

The Representation of his Excellency the Gov^r Council and Assembly of this province to the Right Hon^{ble} the Lord Commissioners of the Treasury for the obtaining An Act of parliament for the importation of European Salt into this province, was read and signed by his Excell^y and the Gentlemen of the Council and sent to the Assembly for their Signing*

Post Meridiem

PRESENT as before as likewise Mr CLARKE

The Bill Entitled, An Act for raising and Levying the sum of seven hundred & thirty pounds for the uses therein mentioned for borrowing part thereof and for appointing an Agent to the Court of Great Britain was Read the second time & committed to the Gent of the Board or any five of them

A Message from the Assembly by Major Ranslear acquainting this Board that that House do agree to the amendments made by the Council to the Bill Entitled, An Act for the better clearing Regulating and further Laying out publick High Roads in the City and County of Albany.

Mr Livingston in his place reported from the Committee to whom was Committed the two following Bills viz^t The Bill Entitled, An Act for Raising and Levying the sum of seven hundred & thirty pounds for the uses therein mentioned for borrowing part thereof and for appointing an Agent at the Court of Great Britain and the Bill Entitled, An Act for the continuing and Enforcing the Acts therein mentioned For discharging the present demands on the Trading House at Oswego by borrowing money of the Excise, For the Effectual Support of it untill the twenty fifth day of December one thousand seven hundred and thirty three For continuing some dutys and augmenting others untill that time For Regulating those dutys and the Trade at Oswego, for the gradual repayment of money borrowed of the Excise and for reducing former Fines if voluntarily paid within the time therein mentioned, That they had Gone through the said Bills and was ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Livingston in his place reported that the said Committee had gone through the said Bills without any amendments

Ordered, That the said Bills be read the third Time

Then the said Bills were read the third time and past without any Amendments

Ordered, That Mr Livingston do acquaint the House of Representatives that this Board has past the said Bills without any Amendments

A Message from the Assembly by Coll Hicks acquainting the Board that that House cannot agree to the Amendments made by the Council to the Bill entitled, An Act for the effectual recovery of the several taxes and of the Excise therein mentioned &c^a

Ordered, that Mr Harison do acquaint the Assembly that this Board recede from their Amendments to the said Bill.

A Message from the Assembly by Coll Phillip Schnyler with the Bill Entitled, An Act for Lyeensing Hawkers and pedlars within this Colony and desiring the concurrence of this Board thereto

Ordered, That the said Bill be read the First Time

Then the said Bill was read the first time and

Ordered a second reading

* For this Address, see Journals of the General Assembly I. pp. 604, 605.

At a Council held at Fort George in New York, July the 11th, 1729.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, &c.,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr AB^m VAN HORNE,
Mr KENNEDY,
Mr JAM DE LANCEY.

The Bill Entituled, An Act for Lyncencing Hawkers and Pedlars within this Colony was read the second time and Committed to the Gentlemen of the Council or any five of them

The Governour withdrawing The Gentlemen of the Council resolved into a Committee

After some time spent his Excellency returned to the Council Chamber and took his place

Post Meridiem.

PRESENT as before

Mr Van Horn in his place Reported from the Committee to whom was Committed the Bill Entituled, An Act for the Lyncencing Hawkers and Pedlars within this Colony that they had gone through the said Bill and was Ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Van Horn in his place Reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that Mr Van Horn do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Post Meridiem

At a Council held at Fort George in New York, July the 12th, 1729.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr AB^m VAN HORNE,
Mr KENNEDY,
Mr JAM DE LANCEY.

Ordered, That the Deputy Clerk of this Board do Acquaint the House of Representatives that his Excellency requires the immediate attendance of that House at the Council Chamber

The Assembly Attending Accordingly with their Speaker his Excellency Gave his Assent to the following Acts Enacting the Same and ordered to be Enrolled Viz^t

1. An Act reviving An Act Entituled, An Act to prevent Desertion from his Majestys forces in the province of New York

2. An Act For the further Continuing the Currency of Bills of Credit Struck and Issued in the year 1720 To the value of Five thousand Ounces of plate until the first day of July 1730

3. An Act to Continue An Act Entituled, An Act to Let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub Liable to the Same duties as distilled Liquors

4 An Act for the better Clearing Regulating and further Laying out publick High Roads in the County of Ulster.

5 An Act to Continue An Act Entituled, An Act to empower the Justices of the peace in the County of Albany Living or dwelling in the Township of Schenectady in the Said County to regulate the Streets and Highways and to prevent Accidents by Fire in the Said Town

6. An Act for the further Continuing An Act Entituled, An Act for the further Laying out Regulating and better Clearing publick Highways in the County of Suffolk

7. An Act to ascertain the allowance to the representatives for the County of Suffolk and for other purposes therein mentioned

8. An Act for Naturalizing John Frederick Gunter, Phillip Jacob Bomper Jun^r, Jaques Gabriel Buvelot, Michael Cario, Samuel Myers, David Hays and Judah Hays

9. An Act for the better Clearing Regulating and further Laying out publick Highroads in the City & County of Albany

10. An Act for the effectual recovery of the Arrears of the Several taxes And of the Excise therein mentioned and for Securing the Dutys on Slaves not Imported in the City of New York and for Impowering The Treasurer for those purposes

11. An Act for raising and Levying the Sum of £730 for the uses therein mentioned, for borrowing part thereof and for appointing an Agent at the Court of Great Britain

12. An Act for Continuing and Enforcing the Acts therein mentioned for discharging the present demands on the Trading House at Oswego by borrowing money of the Excise for the Effectual Support of it until the twenty fifth day of December 1733 For Continuing Some dutys and Augmenting others until that time For Regulating Those Dutys and the Trade at Oswego, For the gradual Repayment of money borrowed of the Excise and for reducing former Fines if voluntarily paid within the time therein Limited

13. An Act for Lycensing Hawkers and pedlars within this Colony

His Excellency after publication of the Said Acts at the City Hall with the usual Solemnity returning to the Council Chamber

His Excellency Recommended the House of Representatives to adjourn its Self until the first Tuesday in October next

TWENTIETH ASSEMBLY THIRD SESSION.

At a Council held at Fort George in N York, August the 26th, 1730.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, &c^a,

Mr CLARKE,
Mr HARRISON,
Dr COLDEN,
Mr ALEXANDER,

Mr KENNEDY,
Mr JAM. DELANCEY,
Mr PHIL CORTLANDT.

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency made a Speech to them in *hæc verba*

Gentlemen,

The principal reason of my calling you together at this time, is to acquaint you, that his Majesty has disallowed all the Acts you have passed, Prohibiting the Selling of Indian Goods to the French or laying Dutys on them from the year 1720 to the year 1729 which I beleive is what you expected from the late accounts we have had from England

By the repeal of these Acts which I shall lay before you, the last Provision you made for the Support of the House and Garrison at Oswego is rendered altogether in effectuall

Every man who knows the Interest & circumstances of this province must be very sensible of the importances of that place on which cheilly depends the prosperity & success of your Indian Trade, the fidelity and obedience of the Six Nations to the Crown of Great Britain and a protection and Defence of your frontier Settlements. The Season of the year for transporting men and provisions being now far advanced I earnestly desire that you will speedily provide effectuall and unexceptionable supplies for this service

I also Expect you will take into your serions consideration the ruinous condition of all the other frontier Garisons and the miserable state of the Officers Barracks in the fort at New York

It gives me very great uneasiness to propose any Expence to the province but the things I have mentioned, are so absolutely necessary for his Majestys service and the safety of his subjects, that I think my Self Indispensably obliged to recommend them most earnestly to you

J. MONTGOMERIE

At a Council held at Fort George in New York, Sep^r 16th, 1730.

PRESENT—

His Excellency JOHN MONTGOMERIE, Esq^r, &c.,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr KENNEDY,
Mr JAM DE LANCEY,
Mr PHIL CORTLANDT.

A Message from the Assembly by Coll Gaasbeek with the Bill entitled, An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned & for declaring Shrub Lyable to the same dutys as distilled Liquors and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time and

Ordered, a second reading

A Message from the Assembly by Mr Gerritsen with the Bill Entitled, a Bill for continuing An Act Entitled, An Act to amend the practice of the Law and to regulate the giving of Special Bail and desiring the concurrence of this Board

Ordered, that the said Bill be read the first time

Then the said Bill was read the first time &

Ordered a second Reading

His Excellency laid before the Board a Message to him from the Assembly by Mr Delancey & Coll Schuyler desiring that the Gentlemen of this Board may Join a Committee of that House to draw an humble Representation to his Majesty and therein to sett forth and putt in a true Light what has been done by the Legislature of this Colony for some years last past in Relation to the Indian Trade more particularly at Oswego, the situation and importance of that place, the fair prospect it affords of drawing the furr trade if put under proper regulations, and to pray that His Majesty will be graciously pleased to allow that the Expence necessary to support the trading house erected there may be born either by the trade it self or by those who reap the only benefit of it And that they desire his Excellency Likewise that he will be pleased not only to Join in such a Representation but also promote the same at the Court of Great Britain. Whereupon it is

Ordered, that the Deputy Clerk of the Board do acquaint the House of Representatives that this Board has appointed the Gentlemen of the Council or any three of them to be a Committee to Join a Committee of that House on the subject matter of the said Message and that they meet to morrow at four in the afternoon at the House of Obadiah Hunt in this City for that purpose

At a Council held at Fort George in New York, Sep^r 24th, 1730.

PRESENT—

His Excellency THE GOVERNOR.

Mr VAN DAM,
Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr VAN HORNE,
Mr KENNEDY,
Mr DE LANCEY,
Mr CORTLANDT,

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to Let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub lyable to the same dutys as distilled Liquors was read the second time and Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act for Continuing An Act Entitled, An Act to Amend the practice of the Law and to regulate the giving of Special Bail was read the second time and Committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Major Phillips with the Bill Entitled, An Act to Continue An Act entitled, An Act for regulating fences for the several Citys & Countys within this Colony of New York and desiring the concurrence of this Board thereto

Ordered, that the s^d Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Mr Livingston with the Bill entitled, An Act to Continue An Act Entitled, An Act to prevent Swine running at Large in Dutchess County and in the manner of Livingston and in the precinct of the manner of Ranslearwick called Claverack in the County of Albany and desiring the concurrence of this Board thereto

Ordered, That the said Bill be read

Then the said Bill was read the first time &

Ordered a second Reading

A Message from the Assembly by Coll Willett & Coll Hicks with the Bill Entitled, An Act to prevent Swine from running at Large in the City & County of New York and the County of Westchester, Queens County, Kings County & Richmond County and desiring the concurrence of this Board thereto

Ordered, That the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

At a Council held at Fort George in New York, Sep^r the 25th, 1730.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r &c^a,

Mr CLARKE,

Mr HARRISON,

Mr ALEXANDER,

Mr VAN HORNE,

Mr KENNEDY,

Mr DE LANCEY,

Mr CORTLANDT.

Mr Clarke Chairman of the Committee to whom was Committed the Bill Entitled, An Act for the continuing An Act entitled, An Act to Let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub lyable to the same dutys as distilled Liquors acquainted the Board that the Committee had considered of the same and were ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Clarke in his place Reported That the said Committee had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Clarke do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Mr Clarke Chairman of the Committee to whom was Committed the Bill Entitled, An Act for Continuing An Act Entitled, An Act to amend the practice of the Law and to regulate the giving of Special Bayl acquainted the Board that the Committee had considered of the same and was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Clarke in his place reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Clarke do acquaint the house of Representatives that this Board has past the said Bill without any Amendments

The Bill Entitled, An Act to continue An Act entitled, An Act for regulating fences for the severall Citys & Countys within this Colony of New York was read the second time & Committed to the Gentlemen of the Councill or any five of them

Post Meridiem

Mr Clarke Chairman of the Committee to whom was Committed the Bill, Entitled An Act to continue An Act Entitled, An Act for regulating Fences for the severall Citys and Countys within this Colony of New York acquainted the Board that the Committee had considered of the same and was ready to make their Report when this Board would please to Receive the same

Ordered, that the said Report be made immediately

Then Mr Clarke in his place reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Clarke do acquaint the house of Representatives that this Board has past the said Bill without any Amendments

The Bill entitled, An Act to Continue An Act Entitled, An Act to prevent Swine running at Large in Dutchess County and in the Mannor of Livingston & in the precinct of the Mannor of Ranslearwick called Claverack in the County of Albany was read the second time and Committed to the Gentlemen of the Councill or any five of them

His Excellency withdrawing The Board resolved into a Committee

His Excellency returning to the Council took his place

Then Mr Clarke Chairman of the Committee to whom was Committed the Bill aforesaid Entitled, An Act to Continue An Act Entitled, An Act to prevent Swine running at Large in Dutchess County and in the manner of Livingston and in the precinct of the manner of Ranslerwick called Claverick in the County of Albany acquainted the Board that the Committee had considered of the same & were ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Clarke in his place reported that the said Committee had gone through the said Bill without any Amendments.

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time & past without any Amendments

Ordered, that Mr Clarke do acquaint the house of Representatives that this Board has past the said Bill without any Amendments

The Bill Entituled, An Act to prevent Swine from running at Large in the City & County of New York, the County of Westchester, Queens County, Kings County and Richmond County was read the second time & Committed to the Gentlemen of the Council or any five of them

Mr Clarke Chairman of the Committee to whom was Committed the Bill Entituled, An Act to prevent Swine from running at Large in the City & County of New York, the County of Westchester, Queens County, Kings County & Richmond County reported from the Committee that they had gone through the said Bill and was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Clarke in his place reported that they had gone through the said Bill with some Amendments

Then the said Bill was read the third time as amended

Ordered, that Mr Clarke do carry the said Bill with the Amendments made thereto to the house of Representatives and desire their concurrence to the same

A Message from the Assembly by Cap^t Rutgers with the Bill entituled, An Act for the better preservation of Oysters and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

At a Council held at Fort George in New York, October the 1st, 1730.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, Governour, &c^a,

Mr ALEXANDER,
Mr VAN HORNE,
Mr KENNEDY,

Mr DELANCEY,
Mr CORTLANDT.

The Bill Entituled, An Act for the better preservation of Oysters was read the Second time and Committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Major Platt with the Bill entituled, An Act for the further Continuing the Currency of Bills of Credit Struck and Issued in the year 1720 to the value of five thousand ounces of plate During the time therein mentioned and Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be Read

Then the Said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Coll Hutchinson with the Bill Entituled, An Act to revive and enforce An Act entituled, An Act for Settling and regulating the militia in this province and making the Same usefull for the Security & defence thereof and for repealing all other Acts relating to the Same During the time therein mentioned & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read.

Then the Said Bill was read the first time &

Ordered a Second Reading

At a Council held at Fort George in New York, October 8th, 1730.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r, &c,

Mr CLARKE,
Mr LIVINGSTON,
Mr KENNEDY,

Mr DE LANCEY,
Mr CORTLANDT.

The Bill Entitled, An Act for the further Continuing the Currency of Bills of Credit Struck and issued in the year 1720 To the Value of five thousand Ounces of plate during the time therein mentioned was read the Second time & Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act to revive & enforce An Act Entitled, An Act for Settling & regulating the Militia in this province and making the Same usefull for the Security and Defence thereof and for repealing all other Acts relating to the Same during the time therein mentioned was read the Second time and

Ordered to be committed

A Message from the Assembly by Coll Beekman with the Bill Entitled, An Act for Striking Bills of Credit To the Value of three thousand pounds and putting them into the Treasury to be Exchanged for Shattered, torn and Defaced Bills Struck and issued by virtue of Severall former Acts & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time And

Ordered a Second reading

A Message from the Assembly by Cap^t Rutgers with the Bill Entitled, An Act to Enable the Mayor Aldermen & Commonalty of the City of New York to raise money for the term of three years to purchase two fire Engines & for other the purposes therein mentioned and desiring the Concurrence of this Board thereto.

Ordered, that the said Bill be read.

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Major Phillipse with the Bill entitled, An Act to revive An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Westchester desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

At a Council held at ffort George in New York, the 9th October, 1730.

PRESENT —

His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

Mr CLARKE,
Mr ALEXANDER,
Mr LIVINGSTON,

Mr KENNEDY,
Mr DE LANCEY,
Mr CORTLANDT.

Mr Livingston Chairman of the Committee to whom was Committed the Bill Entitled, An Act for the further continuing the Currency of Bills of Credit struck & issued in the year 1720 to the value of five thousand ounces of plate during the time therein mentioned reported from the Committee that they had gone through the said Bill and were ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Livingston in his place reported that the said Committee had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Mr Livingston Chairman of the Committee (to whom was Committed the Bill entitled, An Act to revive and enforce An Act for settling and regulating the Militia in this province and making the same usefull for the security and defence thereof & for repealing all other Acts relating to the same during the time therein mentioned) reported from the Committee that they had gone through the said Bill & were ready to make their Report when this Board would please to Receive the same

Ordered, That the said Report be made Immediately

Then Mr Livingston in his place reported that they had gone through the said Bill with some amendments

Then the said Bill was read the third time as amended & past

Ordered, that Mr Livingston do carry the said Bill with the amendments made thereto to the house of Representatives and desire their concurrence to the same

Mr Livingston Chairman of the Committee (to whom was Committed the Bill Entitled, An Act for the better preservation of Oysters) reported from the Committee that they had gone through the said Bill & was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr Livingston in his place reported that they had gone through the said Bill with some Amendments

Ordered, that the said Bill be read the third time with the Amendments

Then the said Bill was read the third time as Amended and past

Ordered, that Mr Livingston do carry the said Bill to the House of Representatives with the Amendments made thereto and desire their concurrence to the same

The Bill Entitled, An Act for striking Bills of Credit to the value of three thousand pounds & putting them into the Treasury to be Exchanged for shattered torn & defaced Bills struck & issued by virtue of several former Acts was read the second time and Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act to Enable the Mayor Aldermen and Commonalty of the City of New York to raise money for the term of three years to purchase two Fire Engines and for other the purposes therein mentioned was read the second time & Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act to revive An Act Entitled, An Act for the better clearing regulating and further laying out publick highroads in the County of Westchester was read the second time & Committed to the Gent of the Council or any five of them.

Post Meridiem

PRESENT as before

Mr Livingston Chairman of the Committee to whom was referred the Bill Entitled, An Act to revive An Act Entitled, An Act for the better clearing regulating and further laying out publick High roads in the County of Westchester reported from the Committee that they had considered of the said Bill & were ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr Livingston in his place reported that the Committee had gone through the said Bill without any Amendments

Ordered, That the said Bill be read the third time

Then the said Bill was read the third time & past without any Amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the s^d Bill without any Amendments

Mr Livingston Chairman of the Committee (to whom was Committed the Bill Entitled, An Act to Enable the Mayor, Aldermen & Commonalty of the City of New York to raise money for the term of three years to purchase two fire Engines and for other the purposes therein mentioned) reported from the Committee that they had gone through the said Bill and was ready to make their report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr Livingston in his place reported that the Committee had gone through the said Bill without any amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Mr Livingston Chairman of the Committee (to whom was referred the Bill Entitled, An Act for Striking Bills of Credit to the value of three thousand pounds and putting them into the Treasury to be Exchanged for shattered torn & defaced Bills struck & Issued by virtue of severall former Acts) reported from the committee that they had gone through the said Bill and was ready to make their report when this Board would please to receive the same

Ordered, That the said Report be made immediatly

Then Mr Livingston in his place reported that the committee had gone through the said Bill without any amendments

Ordered, that Mr Livingston do acquaint the house of Representatives that this Board has past the said Bill without any amendments

At a Council held at Fort George in New York, the 14th October, 1730.

PRESENT — His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r &c^a,

Mr CLARKE,
Mr ALEXANDER,
Mr LIVINGSTON,
Mr KENNEDY,

Mr VAN HORNE,
Mr DE LANCEY,
Mr CORTLANDT.

A Message from the Assembly by Mr Gerritsen wth the Bill Entitled, An Act for the better clearing, regulating & further Laying out publick highways in Kings County, Queens County, Richmond County and Orange County and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Major Ranslear with the Bill entitled, An Act to prevent the destruction of Sheep by Dogs in the City and County of Albany, the County of Westchester, the County of Suffolk, Queens County, Kings County, Richmond County and Orange County and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a Second Reading

A Message from the Assembly by Coll Hicks with the Bill entitled, An Act for Naturalizing Herman Winckler & other the persons therein named desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered, a second reading

At a Council held at ffort George in New York, Oct^r 15th, 1730.

PRESENT — His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r &c.,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,
Mr LIVINGSTON,

Mr KENNEDY,
Mr DE LANCEY,
Mr CORTLANDT.

The Bill Entitled, An Act for the better clearing regulating & further laying out publick Highways in Kings County, Queens County, Richmond County and Orange County was read a second time & committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to prevent the destruction of Sheep by Dogs in the City and County of Albany, the County of Westchester, the County of Suffolk, Queens County, Kings County, Richmond County & Orange County was read a Second time & Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act for Naturalizing Herman Winkler and other the persons therein named was read a Second time & Committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Mr Willett with the Bill entitled, An Act to revive & enforce An Act entitled, An Act for Settling and regulating the Militia in this province and making the Same usefull for the Security and Defence thereof and for repealing all other Acts relating to the Same during the time therein mentioned that that House do disagree to the Amendments made by this Board to the Said Bill

Then the Question being put

Resolved, that the Board do recede from their Amendm^{ts} to the Said Bill

Ordered, That Mr Livingston do Acquaint the House therewith

At a Council held at Fort George in New York, October the 16th, 1730.

PRESENT — His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r, &c^a,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr LIVINGSTON,
Mr DE LANCEY,
Mr CORTLANDT.

Mr Livingston Chairman of the Committee (to whom was Committed the Bill Entitled, An Act for the better Clearing, regulating & further laying out publick highways in Kings County, Queens County, Richmond County and Orange County) reported from the Committee that they had gone through the Said Bill and were ready to make their report thereof when this Board would please to receive the Same

Ordered, that the Said report be made Immediately

Then Mr Livingston in his place reported that they had gone through the Said Bill without any amendments

Ordered, that the Said Bill be read the third time

Then the Said Bill was read the third time & past without any amendments

Ordered, that Mr Livingston do Acquaint the House of Representatives that this Board has past the Said Bill without any Amendments

Mr Livingston Chairman of the Committee (to whom was Committed the Bill Entitled, An Act to prevent the destruction of Sheep by Dogs in the City & County of Albany, the County of Westchester, the County of Suffolk, Queens County, Kings County Richmond County & Orange County) reported from the Committee that they had gone through the said Bill and were ready to make their Report thereof when this Board would please to receive the same

Ordered, that the said Report be made immediately

Then Mr Livingston in his place reported that they had gone through the said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

Mr Livingston Chairman of the Committee to whom was Committed the Bill Entitled, An Act for Naturalizing Herman Winkler and other persons therein named reported from the Committee that they had gone through the said Bill and were ready to make their Report thereof when this Board would please to receive the same,

Ordered, that the said Report be made Immediately

Then Mr Livingston in his place reported that they had gone through the said Bill without any Amendments

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Livingston do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act for the relief of Insolvent Debtors within this Colony of New York with respect to the Imprisonment of their persons and desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, Oct^r 17th, 1730.

PRESENT — His Excellency JOHN MONTGOMERIE, Esq^r, Gov^r, &c,

Mr CLARKE,
Mr HARISON,
Mr ALEXANDER,

Mr LIVINGSTON,
Mr DE LANCEY,
Mr CORTLANDT.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Excellency requires their Immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency was pleased to give his assent to the following Acts viz^t

1st An Act Entitled, An Act for Continuing An Act Entitled, An Act to Amend the practice of the Law and to regulate the giving of Special Bail

2^d An Act Entitled, An Act to Continue An Act Entitled, An Act for regulating fences for the several Cities and Countys within this Colony of New York

3^d An Act Entitled, An Act to Continue An Act Entitled, An Act to prevent Swine running at large in Dutchess County and in the Mannor of Livingston and in the precinct of the Mannor of Ranslearwick called Claverack in the County of Albany

4th An Act Entitled, An Act to prevent Swine from running at Large in the City and County of New York, the County of West Chester, Queens County, Kings County, and Richmond County

5th An Act Entitled, An Act for the further Continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for declaring Shrnbb lyable to the same dutys as distilled Liquors

6th An Act Entitled, An Act to revive An Act Entitled, An Act for the better clearing regulating and further Laying out publick high Roads in the County of Westchester

7th An Act Entitled, An Act to Enable the Mayor Aldermen & Commonalty of the City of New York to raise money for the term of three years to purchase two fire Engines and for other the purposes therein mentioned

8th An Act Entitled, An Act for striking Bills of Creditt to the value of three thousand pounds and putting them into the Treasury to be Exchanged for shattered torn & defaced Bills struck & Issued by virtue of several former Acts

9th An Act Entitled, An Act for the better preservation of Oysters

10th An Act Entitled, An Act to revive and enforce An Act Entitled, An Act for settling and regulating the Militia in this province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same during the time therein mentioned.

11th An Act Entitled, An Act for the further continuing the Currency of the Bills of Credit struck and Issued in the year one thousand seven hundred and twenty to the vallue of five thousand Ounces of plate during the time therein mentioned

And afterwards his Excellency attended with the Gent of the Councill and the House of Representatives went to the City Hall and there published the severall Acts aforesaid

At a Council held at ffort George in New York, the 21st day of Oct^r, 1730.

PRESENT— *His Excellency* JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr HARISON,

Mr ALEXANDER,

Mr LIVINGSTON,

Mr KENNEDY,

Mr DE LANCEY,

Mr CORTLANDT.

The Bill Entituled, An Act for the relief of Insolvent Debtors within the Colony of New York with respect to the Imprisonment of their persons was read a second time and Committed to the Gentlemen of the Councill or any five of them

A Message from the Assembly by Mr Willett with the Bill entitled, An Act to prevent the taking or Levying on Specialtys more than the principal Interest & Costs of suit and other the purposes therein mentioned and desiring the concurrence of this Board thereto

Ordered, That the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

At a Councill held at ffort George in New York, the 22^d October, 1730.

PRESENT— *His Excellency* JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

Mr CLARKE,

Mr ALEXANDER,

Mr LIVINGSTON,

Mr KENNEDY,

Mr DELANCEY,

Mr CORTLANDT.

The Bill Entitled, An Act to prevent the taking or Levying on Specialtys more than the principall Interest & Costs of suit & other the purposes therein mentioned was read a second time and Committed to the Gent of the Councill or any five of them

Mr Delancey Chairman of the Committee (to whom was Committed the Bill Entitled, An Act for the releif of Insolvent Debtors within the Colony of New York with respect to the Imprisonment of their persons) reported from the Committe that they had gone through the said Bill and were ready to make their Report when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr De Lancey in his place Reported that they had gone through the said Bill with some amendments

Then the said Bill was read the third time as amended and past

Ordered, that Mr Delancey do carry the said Bill with the Amendments thereto to the House of Representatives and desire their concurrence to the same

At a Council held at Fort George in New York, October the 23^d, 1730.

PRESENT — *His Excellency* JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr ALEXANDER,

Mr LIVINGSTON,

Mr KENNEDY,

Mr DE LANCEY,

Mr CORTLANDT.

Mr Delancey Chairman of the Committee (to whom was Committed the Bill entitled, An Act to prevent the taking or Levying on Specialties more than the principal Interest & Costs of Suit and other purposes therein mentioned) reported from the committee that they have gone through the said Bill and were ready to make their report thereof when this Board would please to receive the same

Ordered, that the said Report be made immediatly

Then Mr De Lancey in his place reported that they had gone thro' the said Bill with some Amendments

Ordered, that the said Bill be read the third time with the amendments

Then the said Bill was read the third time as amended and past

Ordered, that Mr Delancey do carry the said Bill to the House of Representatives with the amendm^{ts} made by this Board to the said Bill and desire their concurrence thereto

A Message from the Assembly by Mr Lott with the Bill Entitled, An Act for the more Effectuall preventing & punishing the Conspiracey and Insurrection of Negro & other Slaves for the better regulating them and for repealing the Acts therein mentioned relating thereto and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

At a Council held at Fort George in New York, Octo^r 24th, 1730.

PRESENT — *His Excellency* JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr HARRISON,

Mr ALEXANDER,

Mr KENNEDY,

Mr CORTLANDT.

The Bill Entitled, An Act for the more effectuall preventing & punishing the conspiracy & insurrection of Negro & other Slaves, for the better regulating them and for repealing the Acts herein mentioned relating thereto was read a second time and committed to the Gent of the Council or any five of them

His Excellency withdrawing The Board resolved into a Committee to Consider of the said Bill

His Excellency Returning to the Council Chamber took his place

Mr Cortlandt Chairman of the Committee (to whom the said Bill was referred) reported that they had gone through the said Bill and were ready to make their report thereof when this Board would please to receive the same

Ordered, that the Said Report be made immediatly

Then Mr Cortlandt in his place reported that they had gone through the Said Bill without Any Amendments

Ordered, that the Said Bill be read the third time

Then the Said Bill was read the third time any past without Any Amendments

Ordered, that Mr Cortlandt do Acquaint the House of Representatives that this Board has past the Said Bill without Any Amendments

A Message from the Assembly by Coll Myndert Schuyler that that House do Agree to the Amendments made by this Board to the Bill Entitled, An Act for the relief of Insolvent Debtors with respect to the Imprisonment of their persons

Att a Council held at ffort George in New York, the 28th Oct^r, 1730.

PRESENT — *His Excellency* JOHN MONTGOMERIE, Esq^r, Gov^r, &c.,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

M^r DE LANCEY,
M^r CORTLANDT.

A Message from the Assembly by Coll Phillip Schuyler with the Bill Entitled, An Act to defray the Charge of Victualling his Majestys Troops posted at Oswego and for other the purposes therein mentioned & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was Read the first time and

Ordered a Second reading

A Message from the Assembly by Coll Beckman with the Bill Entitled, An Act for paying Richard Bradley Esq^r one hundred and fifty pounds and Henry Beckman Esq^r the Sum of Seventeen pounds ten shillings for the Consideration and in the manner therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a Second reading

Post meridiem

PRESENT as before

The Bill intitled, An Act to defray the Charge of Victualling his Majesties Troops posted at Oswego and for other the purposes therein mentioned was read a Second Time and Committed to the Gentlemen of the Council or any five of them

The Bill intitled, An Act for paying Richard Bradley Esq^r One hundred and fifty pounds and Henry Beckman Esq^r the Sum of Seventeen pounds ten Shillings for the Consideration and in the manner therein mentioned was Committed to the Gentlemen of the Council or any five of them

His Excellency withdrawing The Board resolved into a Committee to consider of the Said two Bills

His Excellency returning to the Council Chamber

M^r De Lancey Chairman of the Committee to whom the Said two Bills were referred reported from the Committee that they had gone through the Said Bills & were ready to make their report thereof when this Board would please to receive the Same.

Ordered, That the said Report be made Immediately

Then M^r De Lancey in his place reported that they had gone through the said Bills without any Amendments

Ordered, that the said two Bills be read the third time

Then the said two Bills were read the third Time and past without any Amendments

Ordered, that M^r De Lancey do acquaint the House of Representatives that this Board has past the said two Bills without any Amendments

A Message from the Assembly by Coll Beckman that that House do agree to the Amendments made by this Board to the Bill intitled, An Act to prevent the taking or Levying on Specialties more than the principall Interest and Costs of suit and other purposes therein contained

Att a Council held at ffort George in New York, the 29th of October, 1730.

PRESENT — *His Excellency* JOHN MONTGOMERIE, Esq^r, Gover, &c.,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

M^r KENNEDY,
M^r DE LANCEY,
M^r CORTLANDT.

Ordered, that the Deputy Clarke of the Council do acquaint The House of Representatives that *His Excellency* requires their Immediate Attendance at the Council Chamber

The Assembly accordingly Attending with their Speaker *His Excellency* was pleased to give his Assent to the following Acts viz^t

12. An Act for the better clearing regulating and further laying out publick High Wayes in King's County, Queens County, Richmond County and Orange County

13. An Act for Naturalizing Herman Winkler & other persons therein named
 14. An Act to prevent the destruction of Sheep by Dogs in the City and County of Albany, the County of West Chester, the County of Suffolk, Queens County, Kings County, Richmond County and Orange County
 15. An Act for the reliefe of Insolvent Debtors within the Collony of New York with respect to the Imprisonment of their persons.
 16. An Act to prevent the taking or Levying on Specialties more than the principal Interest & Costs of suite & other purposes therein mentioned
 17. An Act for the more effectuall preventing & punishing the conspiracy and insurrection of Negroes & other Slaves, for the better regulating them, and for repealing the Acts herein mentioned relating thereto
 18. An Act to Defray the Charge of Victualling his Majesties Troops posted at Oswego and for other the purposes therein mentioned
 19. An Act for paying Richard Bradley Esq^r One hundred and fifty pounds and Henry Beekman Esq^r the sum of seventeen pounds Ten shillings for the Consideration and in the manner therein mentioned
- And afterwards his Excellency attended with the Gentlemen of the Council and the House of Representatives went to the City Hall & there published the severall Acts aforesaid

[N. Y. Col. MSS., LXIX, 113]

BY HIS EXCELLENCY

JOHN MONTGOMERIE Esq^r Captain Generall and Governour in Chief of the provinces of (L. S.) New York, New Jersey and Territoryes thereon depending in *America* and Vice Admirall of the same &c

A PROCLAMATION

WHEREAS the Generall Assembly of the province of New York stands adjourned to the second tuesday of Aprill instant, I have thought fitt for his Majesties Service and by virtue of the powers and authorityes unto me given by his Majesties Letters patent under the great seal of *Great Britain*, further to adjourn the said Generall Assembly untill the *second tuesday* of July next and I do hereby accordingly adjourn the said Generall Assembly untill the *second tuesday* of July next of which all his M^{ties} Subjects are to take notice & govern themselves accordingly

Given under my hand and Seal at Arms at ffort George in *New York*, the *sixth* day of *Ap^l* in the ffourth year of his M^{ties} reign Annoq Dom 1731

J. MONTGOMERIE

By his Excellency's Comand

FFRED^k MORRIS D. Secery.

[IN EXECUTIVE SESSION]

July 27th 1731

The Generall Assembly of this province standing adjourned by a Proclamation issued by his Excellency John Montgomerie Esq^r Deceased late Captain Generall and Governour in Chief of this Province until the *Second Tuesday* of August next, His Honour the President by and with the advice and consent of this Board has thought fit further to adjourn the said Assembly until

the 17th day of *August* next and this Board do advise & Consent that his Honour do issue this Proclamation for the adjournment of the said Assembly until the said 17th of *August* and then Peremptorily to meet

August 17th 1731

The Generall Assembly of this Province standing Adjourned until this day His Honour the President by and with the advice and consent of the Gentlemen of the Council now assembled has thought fit further to adjourn the said Generall Assembly until *ffryday* the 20th day of *August* Instant

August 20th 1731

The Generall Assembly of this Province standing adjourned until this day His Honour the President by and with the advice and consent of the Gentlemen of the Council now assembled has thought fit further to adjourn the said Generall Assembly until *Tuesday* the 21th of *August* Instant

August 21th 1731

The Generall Assembly of this Province standing adjourned until this day His Honour the President by and with the advice and consent of the Gent. of the Council now assembled has thought fit further to adjourn the said Generall Assembly untill to morrow, and for that the Small Pox is now very much in towne, His Honour with the advice & consent aforesaid has thought fit to appoint the place of their meeting to be at the House of Mr Hermanus Rutgers in the *Bowry lane* in the Out ward of the City of New York.

TWENTIETH ASSEMBLY FOURTH SESSION.

Att a Council held pursuant to the last adjournment at the Bowry lane in the Out Ward of the city of New York on the 25th Aug^s, 1731.

PRESENT—

The Honourable RIP VAN DAM, Esq^r, President,

Mr ALEXAND^r,
Mr ABRAHAM VAN HORNE,
Mr KENNEDY,

Mr DE LANCEY,
Mr CORTLANDT.

A Message from the Assembly acquainting this Board that the House was met at the place to which they were adjourned whereupon it is

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that His Hon^r the President requires their immediate attendance at this Board

The House of Representatives accordingly Attending with their Speaker His Honor made a speech to them which is in the words following viz^t

Gentlemen,

Upon the Death of our late Governour, John Montgomerie, Esq^r, The Powers and Authorities by his Majesties Comission and Instruction given to him Devolving on me

I have thought fit by and with the advice of his Majesties Council to call you together at this time to make such Acts and such Provision as are Immediately necessary for his Majestys service the security of the Province and the preservation of the Peace thereof

I must in a particular manner recommend that timely and effectually provisions may be made for supporting the Post of Oswego and the Troops posted in it, and to regulate the Indian Trade there as the most probable method to Increase the furr Trade and to draw the remote Indians and to Confirm the Six Nations in their fidelity and obedience to the Crown of Great Britain

I must likewise recommend to your serious consideration the ruinous and bad condition of our frontier Garrisons which requires your particular care Especially the building of a fort at Albany according to the Resolve Last Session

I need not put you in mind that a new Act ought to be made for letting to flarm the Exeise of Strong Liquors retailed in this province That Act being nigh Expiring and if you think other Acts shall be Immediately necessary for his Majesties service or the good of this Province you shall find me ready to concur with you therein

The nature of the Business to be before you requires Dispatch and your own Good understanding will I doubt not produce a suitable unanimity that neither you nor the Country may be burthen'd by a long Session

RIP VAN DAM

Att a Council held at ffort George in New York, the 3^d September, 1731.

PRESENT—

The Hon^{ble} RIF VAN DAM, Esq^r, President,

M^r ALEXANDER,
M^r VAN HORNE,
M^r PROVOOST,

M^r KENNEDY,
M^r DE LANCEY,
M^r COURTLANDT.

His Honour the President laid before the Board a Message to him from the Assembly setting forth that that House had taken into their consideration a Bill Titled, An Act for the better securing and Encourageing the Trade of his Majesties Sugar Collonys in America which was preferred to the Parliament of Great Britain in their last Session and that the same if past into a Law would be of the utmost prejudice to all the Brittish Northern Collonys and to this in particular Wherefore The House desired that a Committee of the Gentlemen of this Board might be appointed to join a Committee of that House in order to draw a Representation either to his Majesty, his Ministers of State or to the Lords of Trade & Plantations (as the said Committee should Judge most proper) therein setting forth the many Inconveniences, Damages & hardships this Colony would suffer & lye under by being deprived of y^e means to vent their Produce and by having their Navigation Cramp and Diminished & layn under unreasonable cloggs and Hardships whereby the Inhabitants must be render'd unable from taking of and consuming such large Quantities of the Brittish Manufactures as they now do, and likewise prayed that His Honour would be pleased to Join in such representation so to be made as aforesaid.

On reading whereof It is

Ordered, that the Deputy Clerk of this Board do Acquaint the House of Representatives That this Board has appointed M^r Alexander, M^r Abraham Van Horne, and M^r James De Lancey to be a Committee to join a Committee of that House on the Subject matter of the Said Message and that the President and the rest of the members of the Council may also Join and be present at the Said Committee if they Shall See Cause and that the Said Committee meet to morrow morning at 10 of the Clock in the forenoon at the House of M^r John Cuer in this City

His Honour the President Communicated to the Board a Letter from the Governour of Boston dated the 5th of July last & directed to his late Excellency Governour Montgomerie Deceased Setting forth his having transmitted to his Said late Excellency An Act of Assembly of that Province for Settling the Line betwixt that Government and this

Which Letter having been read It is

Ordered, that the Same be laid before the Assembly

Att a Council held at ffort George in New York, on the 13th of Septemb^r, 1731.

PRESENT—

The Hon^{ble} RIF VAN DAM, Esq^r, President,

M^r ALEXANDER,
M^r PROVOOST,
M^r LIVINGSTON,

M^r DE LANCEY,
M^r COURTLANDT.

A Message from the Assembly by Major Renslaer with the Bill Entitled, An Act for the further Continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors retailed on this Colony for the time therein mentioned and for declaring Shrub liable to the Same duties as Distilled Liquors & Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first Time &

Ordered a Second Reading

A Message from the Assembly by Major Renslaer with the Bill Entitled, An Act for the further Continuing An Act Entitled, An Act for Settling & Regulating the Militia in this Province and making the Same usefull for the Security and Defence thereof and for repealing all other Acts relating to the Same during the time therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the said Bill was read the first time &

Ordered, a Second Reading

M^r De Lancey Chairman of the Committee that pursuant to a minute of this Board of the 3^d Instant was appointed to Join a Committee of the House of Representatives in order to draw a Representation to his Majesty against the Bill preferred at the last Session of Parliament Titled An Act for the better Securing and Encouraging the Trade of his Majesties Sugar Colonys in

America reported from the said Committee that they had accordingly drawn a Representation to his Majesty which after having been read was ordered to be Entred in the Minutts of this Board and is in the words following Viz^t.

To the KINGs most Excellent MAJESTY

The Humble REPRESENTATION of the President, Council and Generall Assembly of the Colony of *New York*

Most Gracious Sovereign,

We your Majesties most Dutyfull & Loyall Subjects The President, Council and Generall Assembly of your Majesties Colony of New York begg Leave to represent that with grief and concern we have heard of the monopoly aimed at by the Sugar Colonys which if obtained will we conceive tend to the Ruin of this Colony & be prejudicial to the Trade and Navigation of Great Britain ffor there's yearly Imported into and consumed in this Colony a very large Quantity of the Woollen manufacture of Great Britain for our cloathing & preservation from the Excessive Cold of our Winters and so great is our consumption of those commoditys that we have reason to Believe the whole Sugar Colonys excepting Jamaica on accot of the ffrench Trade do not consume the like Quantity and should not be Disabled to pay for that manufacture We must be reduced to nakedness or to make our own cloathing, the product of this and the neighbouring Collonys of New Jersey and Pensylvania is Provisions, Horses and Lumber which are Exported to the Brittish and foreign Sugar Colonys and in Exchange for them we had moneys, Rum, Sugars, Molasses, Cocoa, Indigo, Cotton Wooll &c whereof Rum and Molasses are chiefly consumed in this Colony and the moneys and other merchandize are mostly applyed to make good the Ballance of our Trade to Great Britain and so great a part of that Ballance is paid in money that we have reason to Believe that all the British Sugar Colonys together Excepting Jamaica do not import so much Silver and Gold into Great Britain as this single Colony. We are well assured that the British Sugar Colonys cannot take of the one half of the provisions which this and the other two Bread Colonys do Export nor are they able to supply the northern Colonys with Rum & Molasses there consumed without vastly diminishing the Quantity of Sugar which they now make and tho' we be not by Express words in the monopoly aimed at restrained from Exporting our provisions to the foreign Sugar Colonys yet the restraining us from taking any part of their produce in Exchange will as Effectually do it Wherefore we have reason to apprehend that if the monopoly aimed at be obtained our product now Exported to the foreign Sugar Colonys will be as lost to us and that we shall have little more from the British Sugar Colonys for all our provisions that they can consume than the Rum, Molasses & Sugar which we want to consume amongst our selves seeing the Glut of our product with them must greatly lower the price thereof and the great Demands of Rum and Molasses must Vastly inhance the price of them and Disable us to pay for the Brittish manufactures we have already had & owe for and to pay for any more must Diminish the consumption of the British Woollen manufacture & the navigation now Employ'd in Bringing it to us & in Carrying our Product to the foreign Sugar Colonys & in Carrying what's got in Exchange for it to Britain must Diminish the Quantity of Sugars made in the British Sugar Colonys and Enhance the price thereof so much that Brittain will probably be Disabled to Expect any part of it

Most Gracious Sovereign

We Implore your most Sacred Majesty the ffather of all your Subjects who has the care and prosperity of all of them equally at Heart and who will be far from Countenancing any Endeavours to make one part of them the Slaves and Bondmen of another with whatever specious pretences it may be aimed at To have pity and compassion upon us your poor but most Loyall & Dutyfull Subjects of these Bread Colonys upon the merchants of Great Britain to whom we are greatly Indebted upon them & the many Tradesmen & Seamen of Great Britain who got their Living by the Brittish Trade with us and to grant your most gracious Protection against this Attempt which in its consequences would Tend as we humbly conceive to Deprive them of their Just Debts and future Support and to cut us off from being of any other use to our Mother Country than to be Bondmen and Slaves to her Sugar Colonys by confirming us to them for the Vent of the Produce of our Industry and in consequence obliging us to take what Price for it they please and to give what Price they think fit for what we have in Exchange from them

We crave pardon for trespassing so long on your royall Time and Leave to Subscribe our Selves as we sincerely are

May it please your Majesty—

Your Majestys most humble Dutyfull & most Loyall Subjects

Att a Council held at ffort George in New York, the 14th Sept^r, 1731.

PRESENT—

The Hon^{ble} RIP VAN DAM, Esq^r President,

Mr ALEXANDER,
Mr LIVINGSTON,
Mr KENNEDY,

Mr DE LANCEY,
Mr COURTLANDT.

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned & for Declaring Shrub lyable to the same dutys as Distilled Liquors, Was Read a second time & Committed to the Gentlmⁿ of the Council or any five of them

The Bill Entitled, An Act for the further continuance of An Act Entitled, An Act for Settling & Regulating the Militia in this Province and making the same usefull for the security & Defence thereof and for repealing all other Acts relating to the same during the time therein mentioned, Was read a second time and Committed to the Gentlemen of the Council or any five of them

His Honour withdrawing The Board resolved into a Committee to consider of the two aforegoing Bills

His Honour returning to the Council Chamber took his place

Then Mr Courtlandt Chairman of the Committee to whom the said two Bills were referred acquainted the Board that the Committee had gone through the said Bills & were ready to make their report when this Board would please to receive the same

Order'd, that the said Report be made Immediately

Then Mr Courtlandt in his place reported that the said Committee had gone through the said two Bills without any Amendments

Att a Council held at ffort George in New York, the 15th Sept^r, 1731.

PRESENT—

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Mr ALEXANDER,
Mr LIVINGSTON,
Mr KENNEDY,

Mr DE LANCEY,
Mr COURTLANDT.

Ordered, that the Bill Entitled, An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong liquors Retailed in this Colony for the time therein mentioned & for Declaring Shrub lyable to the same dutys as Distilled Liquors Be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Courtlandt do acquaint the House of Representatives that this Board has past the said Bill without any amendments

Ordered, that the Bill Entitled, An Act for the further continuance of an Act Entitled, An Act for Settling and Regulating the Militia in this Province and making the same usefull for the security and Defence thereof and for Repealing all other Acts relating to the same during the time therein mentioned Be read the third time

Then the said Bill was read the third time and past without any amendments

Ordered, That Mr Courtlandt do acquaint the House of Representatives that this Board has pass'd the said Bill without any Amendments

Att a Council held at ffort George in New York, the 17th day of September, 1731.

PRESENT—

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Dr COLDEN,
Mr ALEXANDER,
Mr VAN HORNE,
Mr LIVINGSTON,

Mr KENNEDY,
Mr DE LANCEY,
Mr COURTLANDT.

A Message from the Assembly by Coll Matthews with the Bill Entitled, An Act to continue An Act Entitled, An Act to prevent Damages by Swine in the precinct of Tapan and some other parts contiguous thereto in the County of Orange and desiring the concurrence of this Board thereto

Ordered, that the Said Bill be Read

Then the Said Bill was read the first Time and

Ordered a Second Reading

A Message from the Assembly by Coll Philipse with the Bill Entitled, An Act to provide able Pilots and to Establish their Pilotage between Sandy Hook and the port of New York and Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a Second Reading

Att a Council held at ffort George in New York, the 18th of September, 1731.

PRESENT —

The Hon^{ble} Rip Van Dam, Esq^r, President,

D^r COLDEN,
M^r ALEXANDER,
M^r LIVINGSTON,

M^r KENNEDY,
M^r DE LANCEY,
M^r COURTLANDT.

The Bill Entituled, An Act to Continue An Act Entitled, An Act to prevent Damages by Swine in the precinct of Tappan and Some other parts Contiguous thereto in the County of Orange was read a Second time & Committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act to provide Able Pilots and to Establish their Pilotage between Sandy Hook and the port of New York was read a Second time and Committed to the Gentlemen of the Council or Any five of them

His Honour withdrawing The Board resolved into a Committee to Consider of the two Aforegoing Bills

The Committee being Agreed on their Report by them to be made thereon and the President being Acquainted therewith

His Honour return'd to the Council Chamber

Then M^r De Lancey Chairman of the Committee in his place reported from the Said Committee that they were ready to make their report thereof when this Board would please to receive the Same

Ordered, that the Said Report be made immediately

Then M^r De Lancey Chairman in his place reported that they had gone through the Said Bill Entitled, An Act to provide Able Pilots & to Establish their pilotage between Sandy Hook and the port of New York with Some Amendments

Ordered, that the Amendments made to the Said Bill be read

Then the Amendments made to the Said Bill were read and the Question was put

Whether the Board agreed to the Said Amendments?

And the Same were agreed to and approved of by the Board

Order'd, that the Said Bill be read the third time As Amended

M^r De Lancey further reported from the Said Committee that they had gone through the Bill Entituled, An Act to Continue An Act Entitled, An Act to prevent Damages by Swine in the precinct of Tappan and Some other parts contiguous thereto in the County of Orange without Any Amendments

Ordered, that the Said Bill be read the third time

His Honour laid before the Board a Message to him from the Assembly of the 15th Instant purporting to be a Resolve and order of that house that Sundry persons therein named Should by An Act be Authorized & impowered to make Solicitations at the Court of Great Britain against the monopoly Aimed at by the Sugar Colonys

That the House being sensible that such solicitations would require money to Defray the necessary expence thereof and it appearing to that House that none could be readily procured but out of that flund which stands appropriated for the support of his Majestys Government and that there was a large Ballance due thereon in favour of this Colony It was therefore the order of that House that Coll Philipse (one of the members thereof) should desire his Honour & the Gent of the Council to approve and agree that so much might be Employ'd out of the said flund as would purchase a Bill of Exchange for the sum of two hundred pounds sterling

Which Message having been read It is

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that this Board desires that they would appoint a Committee of their House to meet a Committee of this Board to confer upon the subject matter of their Resolve and order of the 15th Instant

Att a Council held at ffort George in New York, the 20th day of September, 1731.

PRESENT—

The Hon^{ble} R^{IP} VAN DAM, Esq^r, President,

D^r COLDEN,
M^r ALEXANDER,
M^r VAN HORNE,

M^r LIVINGSTON,
M^r DE LANCEY,
M^r COURTLANDT.

The Bill Entitled, An Act to provide able Pilots and to Establish their Pilotage between Sandy Hook and the Port of New York was read the third time as amended and past

Ordered, that M^r De Lancey do carrye the said Bill with the amendments made thereto to the House of Representatives and Desire their concurrence to the same

The Bill Entitled, An Act to continue An Act Entitled, An Act to prevent Damages by Swine in the precinct of Tappan and some other parts contiguous thereto in the County of Orange was read the third time and past without any amendments

Ordered, that M^r De Lancey do acquaint the House of Representatives that this Board has past the said Bill without any Amendments

A Message from the Assembly by Captain Rutgers with the Bill Entitled, An Act to Explain part of An Act Entitled, An Act to repeal some parts & to continue & enforce other parts of the Act therein mentioned and for granting severall dutys to his Majesty for supporting his Govern^t in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year 1733 and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Coll Philip Schuyler with the Bill Entitled, An Act to Support the Troops at Oswego and to regulate the Indian Trade there and desiring the concurrence of this Board thereto

Order'd, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Captain Rutgers with the Bill Entitled, An Act for Naturalizing Heero Ellis, Theunis Visser, Anna D^r Harriette and Phillipus Langerbeen and Desiring the concurrence of this Board thereto.

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a Second Reading

Att a Council held at ffort George in New York, the 21st day of September, 1731.

PRESENT —

The Hon^{ble} R^{IP} VAN DAM, Esq^r, President,

D^r COLDEN,
M^r VAN HORNE,
M^r LIVINGSTON,

M^r KENNEDY,
M^r DE LANCEY,
M^r COURTLANDT.

The Bill Entitled, An Act to Explain part of An Act Entitled, An Act to repeal some parts & to continue & enforce other parts of the act therein mentioned and for granting severall Dutys to his Majesty for Supporting his Govern^t in the Colony of New York from the first day of Septem^r 1728 until the first day of September which will be in the year 1733 was read a Second time and committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act for Naturalizing Heero Ellis Theunis Visser, Anna D^r Harriette & Phillipus Langerbeen was Read a Second time and committed to the Gentlemen of the Council or any five of them

His Hono^r withdrawing, The Board resolved into a committee to consider of the two aforegoing Bills

The Committee being agreed on their Report by them to be made thereon and the President being acquainted therewith

His Honour return'd to the Council Chamber & took his place

Then M^r De Lancey Chairman of the Committee in his place reported from the said Committee that they were ready to make their report thereof when this Board would please to receive the same

Ordered, that the said Report be made Immediately

Then M^r De Lancey in his place reported that they had gone through the said two Bills without any amendments which report was agreed to and approved of by the Board

Order'd, that the said two Bills be read the third time

Att a Council held at ffort George in New York, the 22^d day of September, 1731.

PRESENT —

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Do^r COLDEN,
M^r VAN HORNE,
M^r LIVINGSTON,

M^r KENNEDY,
M^r DE LANCEY.

The Bill entitled, An Act to Explain part of An Act Entitled, An Act to repeal Some parts & to Continue and enforce other parts of the Act therein mentioned and for granting Severall dutys to his Majesty for Supporting his Government in the Colony of New York from the first day of September 1728 until the first day of September which will be in the year 1733 was read the third time and past without Any Amendments

Ordered, that M^r De Lancey do acquaint the House of Representatives that this Board has pass't the Said Bill without any Amendments

The Bill entitled, An Act to Support the Troops at Oswego and to regulate the Indian Trade there Was read a Second time & Committed to the Gentl of the Council or any five of them

Att a Council held at ffort George in New York, the 23^d day of September, 1731.

PRESENT —

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Do^r COLDEN,
M^r ALEXANDER,
M^r VAN HORNE,

M^r LIVINGSTON,
M^r KENNEDY,
M^r COURTLANDT.

M^r Livingston Chairman of the Committee (to whom the Bill Entitled, An Act to Support the Troops at Oswego & to regulate the Indian Trade there was referred) reported from the Committee that they were ready to make their report thereof when this Board would please to receive the Same

Ordered, that the Said Report be made Immediately

Then M^r Livingston in his place reported that the Committee had gone through the Said Bill without Any Amendments

Which Report was agreed to and approved of by the Board

Ordered, that the Said Bill be read the third time

Then the Said Bill was read the third time and past without any amendments

Order'd, that M^r Livingston do Acquaint the House of Representatives therewith

A Message from the Assembly by Coll Philipse That that House do agree to the Amendments made by this Board to the Bill Entitled, An Act to provide Able Pilots and to Establish their Pilotage between Sandy Hook and the port of New York

Att a Council held at ffort George in New York, the 24th of Sep^r, 1731.

PRESENT —

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Do^r COLDEN,
M^r ALEXANDER,
M^r VAN HORNE,

M^r LIVINGSTON,
M^r KENNEDY,
M^r COURTLANDT.

A Message from the Assembly by Captain Rutgers with the Bill Entitled, An Act to empower Samuel Baker & others to Employ proper persons for the service of this Colony at the Court or in the Parliament of Great Britain and Desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Col Myndert Schuyler with the Bill Entitled, An Act for fortifying the City of Albany and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Order'd a Second Reading

Post Meridiem

PRESENT —

*The Hon^{ble} RIP VAN DAM, Esq^r, President,*Do^r COLDEN,
M^r ALEXANDER,
M^r VAN HORNE,
M^r LIVINGSTON,M^r KENNEDY,
M^r DE LANCEY,
M^r COURTLANDT.

His Honour laid before the Board a Resolve of the Assembly setting forth that one Margret Westvelt of Kings County had no other way of Supporting herself Husband and Mother but by Peddling with small wares on foot in the said County and in the western parts of Queens County and Being unable to pay the Tax Imposed on Pedlars by a Law of this Colony Therefore prayed that she might be permitted to peddle in the places aforesaid without paying the duty aforesaid. Wherefor the House resolves that in case the President & Gentlemen of the Council should concur therein that then the said Margret Westervelt might be permitted to peddle on foot in the places aforesaid free from the said duty during the continuance of the Law in that behalf made and provided.

On Reading whereof It is the unanimous opinion of this Board that this Board cannot agree to nor concur with the said Resolve

Att a Council held at ffort George in New York, the 25th day of Sept^r, 1731.

PRESENT —

*The Honourable RIP VAN DAM, Esq^r, President,*M^r ALEXANDER,
M^r VAN HORNE,
M^r LIVINGSTON,M^r KENNEDY,
M^r COURTLANDT.

The Bill Entitled, An Act to Impower Samuel Baker and others to Employ proper persons for the service of this Colony at the Court or in the Parliament of Great Britain was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act for fortifying the City of Albany was read a Second time & Committed to the Gent. of the Council or any five of them

A Message from the Assembly by Coll Beekman with the Bill Entitled, An Act to Enlarge & release Andrew Law Jun^r upon Surrendring his Estate In the manner & for the use therein mentioned and Desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a Second Reading

Att a Council Held at ffort George in New York, the 29th of Septe^r, 1731.

PRESENT —

*The Hon^{ble} RIP VAN DAM, Esq^r, President,*M^r VAN HORNE,
M^r PROVOOST,
M^r LIVINGSTON,M^r KENNEDY,
M^r COURTLANDT.

The Bill Entitled, An Act to Enlarge and Release Andrew Law Jun^r upon Surrendring of his Estate in the manner and for the use therein mentioned was read a Second time and Committed to the Gentlemen of the Council or any five of them

Post Meridiem

PRESENT as above

M^r Livingston Chairman of the Committee (to whom the Bill Entitled, An Act for fortifying the City of Albany, And Also the Bill Entitled, An Act to enlarge and release Andrew Law Jun^r upon Surrendring his Estate in the manner and for the use therein mentioned, And also the Bill Entitled, An Act to Impower Samuel Baker & others to Employ proper persons for the Service of this Colony at the Court or in the Parliament of Great Britain were referred, reported from the Said Committee that they were ready to make their Report thereof when this Board would please to receive the Same

Ordered, that the Said Report be made Immediately .

Then Mr Livingston in his place reported that they had gone through the two Bills to Witt the Bill Entitled, An Act for fortifying the City of Albany And Also the Bill Entitled, An Act to enlarge & release And^r Law Jun^r &c without any Amendments.

Which Report was approved of by the Board

Ordered, that the Said two Bills be read the third time

Then the Said two Bills were read the third time & past without any amendments

Ordered, that Mr Livingston do acquaint the House of Representatives therewith

And as to the Bill Entitled, An Act to Impower Samuel Baker and others to Employ proper persons for the Service of this Colony at the Court or in the parliament of Great Britain The Said Mr Livingston further reported from the Said Committee that the Committee having Considered one clause in that Act which is for the I-ssuing of £250 Sterl payable to said Mr Baker and others in the Said Act particularly named out of the moneys arisen by Virtue of An Act Entitled, An Act to repeal Some parts & to Continue and Enforce other parts of the Act therein mention'd and for granting Severall Dutys to his Majesty for Supporting his Government in the Colony of New York from the first Day of September 1728 to the first of September 1733 and believing that the President would make Some objections against the passing of the Said Act in as much as they conceived that part thereof without the Kings Royal Leave for that purpose to be illegal & also against one of his Majesties Instructions prohibiting the passing of any Law whereby his Majesties Revenue might be Impaired or Lessened, wherefore the Committee were of opinion that it would be necessary to have a Conference with the Speaker of the Assembly and Some of the members of that House Concerning that Clause in the Said Act, that Accordingly a Message was Sent from the Said Committee to the Speaker of the Assembly acquainting him therewith That the Speaker and the following members of the Assembly to Wit Adolph Philipse, Stephen De Lancey, Abraham Graesbeek Chambers, Myndert Schuyler, Garritt Van Horne, Philip Schuyler and Henry Beekman accordingly attending at the Said Committee Mr Livingston read before the whole Board a Copy of One of his Majesties Instructions prohibiting the passing of any Law whereby his Majesties Revenue might be Impaired or Lessen'd

Then the Question was put

Whether the Act then before the Committee was against the Intent of the said Instruction or not?

And by the majority of voices It was carried in the negative

Whereupon The Committee of the Council considering that there was a necessity of an immediate Supply of Money in order to procure proper Solicitations to be made at the Court of Great Britain in order to prevent the monopoly act aimed at by the Sugar Colonys its passing into a Law which would be of the worst ill consequence to this Colony and the Inhabitants thereof and that there was no other way of speedily raising money for the Ends aforesaid but by the Method in the Act aforesaid prescribed Therefore agreed to report the said Bill without any amendments

All which Mr Livingston having reported to this Board and at the same time Declared that it was the unanimous resolution and Desire of the Committee that this should be made no President for the future

The Question was put

Whether the Board agreed to the said Report?

And the same was agreed to & confirmed Then it was

Ordered, that the said Bill should be Read the third time

Then the said Bill was read the third time and pass't without any amendments

Order'd, that Mr Livingston do acquaint the House of Representatives therewith

Att a Council held at ffort George in New York, the 30th Septemb^r, 1731.

PRESENT —

The Hon^{ble} RIP VAN DAM, Esq^r, President,

Mr HARRISON,

Mr VAN HORNE,

Mr PROVOOST,

Mr LIVINGSTON,

Mr KENNEDY,

Mr COURTLANDT.

The affairs during the present Session of the Assembly being now finished His Hon^r askt the Gentlemen of the Council to what time they would advise him to adjourn the Generall Assembly

Wherenpon the Gentlemen of the Council did advise his Honour to adjourn the said Generall Assembly until the second Tuesday in December next.

Ordered, that the Deputy Clerk of the Council do acquaint the House of Representatives that his Honour requires their Immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker, His Honour was pleased to give his Assent to the following Bills to witt

1. An Act for the further continuance of An Act Entitled, An Act for settling and regulating the Militia in this province & making the same usefull for the Security & Defence thereof and for repealing all other Acts relating to the same during the time therein mentioned

2 An Act for the further continuing of An Act Entitled, An Act to let to farm the Excise of Strong liquors retailed in this Colony for the time therein mentioned and for Declaring Shrublyable to the same Duties as Distilled liquors

3 An Act to provide able Pilots and to Establish their Pilotage between Sandy Hook and the port of New York

4 An Act to Continue An Act Entitled, An Act to prevent Damages by Swine in the precinct of Tappan and some other parts contiguous thereto in the County of Orange

5 An Act to Explain part of An Act Entitled, An Act to repeal some parts & to continue and Enforce other parts of the Act therein mentioned and for granting severall Dutys to his Majesty for Supporting his Government in the Colony of New York from the first of September 1728 to the first September which will be in the year 1733

6 An Act to Support the Troops at Oswego and to regulate the Indian Trade there

7 An Act for fortifying the City of Albany

8 An Act to Enlarge & Release And^w Law Jun^r upon surrendring of his Estate in the manner and for the use therein mentioned

9 An Act to Impower Samuel Baker & others to employ proper persons for the service of this Colony at the Court or in the parliament of Great Britain

And afterwards his Honour attended with the Gent of the Council & the House of Representatives went to the City Hall and there published the severall Acts aforesaid

His Honour returning to the Council Chamber attended with the Gentlemen of the Council and the House of Representatives made a speech to the Gentlemen of the Assembly which is in the Words viz^t

Gentlemen,

As I now have given my Assent to such Laws as at this time seemed to be of absolute necessity for the welfare of this province so I have considered that by reason of the Distemper (I mean the Small pox) now spread amongst us, which has hindred some of the members of the Generall Assembly to meet this Session and caused others that were met to desire Leave to withdraw You would be glad of a Recess, I have therefore thought fit by and with the advice of his Majesties Council to Direct the Generall Assembly to adjourn themselves until the Second Tuesday in December next Ensuing

RIP VAN DAM.

[N. Y. Col. MSS. LXX., 7.]

BY THE HONORABLE

(1. s) RIP VAN DAM Esq^r President of his Majesties Council for the Province of New York

A PROCLAMATION.

WHEREAS the General Assembly of the province of New York stands Adjourned to the second Tuesday in December Instant I have therefore thought fitt by vertue of the Powers and Authoritys on me Devolved by his Majesty's Letters Patents under the Great Seal of Great Brittain & by & with the advice & consent of his Majestys Council of y^e s^d province further to adjourn the said General Assembly untill the *second* Tuesday of *January* next And I do hereby accordingly adjourn the said General Assembly untill the *second* Tuesday in *January* of which all his Majestys Subjects are to take Notice and Govern themselves accordingly

Given under my hand and seal in *New York* the *tenth* day of *December* in the fifth year of his Majestys Reign Annoq Domini 1731

RIP VAN DAM.

By his Honours Command
FRED^k MORRIS D. Secery

God save the KING

[IN EXECUTIVE SESSION]

March 13. 1731

The General Assembly of this province standing adjourned until the Second Tuesday of this Instant March His Honor has thought fit by and with the advice and consent of the Gentlemen of the Council now assembled further to adjourn the said Generall Assembly until the Second Tuesday of April next and

Ordered, that a Proclamation do issue accordingly

After this President out of Council adjourned the Assembly to the 2^d Tuesday of May.

May 5th 1732

The Generall Assembly of this Province standing adjourned until the second Tuesday of this Instant May His Honour by and with the advice of the Gentlemen of the Council now met has thought fit further to adjourn the said Generall Assembly until the said Second Tuesday of June next and

Ordered, that a Proclamation do accordingly issue

June 6th 1732

The Assembly standing adjourned to the 2^d Tuesday of June the President out of Council further adjourned the Assembly to the first Tuesday of July.

July 3^d 1732

The Generall Assembly of the Province of New York standing adjourned until the first Tuesday of this Instant July, His Honour has thought fit with the advice and consent of the Gentl^e of the Council now assembled further to adjourn the said Generall Assembly until the first day of August next & then peremptorily to meet and in General Assembly to convene without any further notification and

Ordered, that a Proclamation issue accordingly

August 1st 1732

The Generall Assembly of the Province of New York standing adjourned until this day His Honour with the advice and consent of the Gentlemen of the Council now assembled has thought fit further to adjourn the said Generall Assembly until Thursday next being the third day of this Instant August and

Ordered, that a Proclamation do accordingly Issue

August 3^d 1732

The Generall Assembly of the Province of New York standing adjourned until this day His Excellency (Governor Cosby) has thought fit with the advice of the Council further to adjourn the said Generall Assembly until Tuesday next being the 8th day of this Instant August

MEMO^m That on the 8th day of August, the Generall Assembly was prorogued until the day following.

TWENTIETH ASSEMBLY FOURTH SESSION.

Att a Council held at ffort George in New York, the 10th day of August, 1732.

PRESENT — *His Excellency* WILLIAM COSBY, Esq^r, Captain Genrall & Gov^r in Chief, &c.,

M^r VAN DAM,
M^r CLARKE,
M^r HARRISON,

M^r PROVOOST,
M^r COURTLANDT.

Ordered, that the Deputy Clerk of this Board do acquaint y^e house of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The House of Representatives accordingly attending with their Speaker

His Excellency made the following Speech to them which is in y^e words following viz^t

Gentlemen

When his Matie was graciously pleased to appoint me Governour of this Province I intended to embark early in the Spring but upon the application of your Agents I quitted that resolution in order to give the best assistance I was able towards the defeating the Bill then depending in Parliament in favour of the Sugar Islands; what Success it has had you very well know

Gentlemen

I am extreamly pleased to see you So soon assembled after my arrivall The season of the year & exigence of affairs requiring not only a Speedy application but your utmost attention and I do not in the least doubt but that you are met together determined to Support his Maties Government by Settling upon him a Revenue in as full & ample a Manner and at least for as long a time as you or any former Assembly have at any time given it and to make Such provision for the maintenance of the Garrison of Oswego and for the repairs of that place as well as the rest of the Garrisons as their ruinous Condition requires this will encourage the Soldiers to do their Duty chearfully give the five Nations a full assurance of protection and make your trade more extensive among the remote Indians & in all things answer the end to which it is designed Those things his Matie, the best of Kings, whose universall care of his subjects he makes his greatest glory, thinks, for your own Sakes you Should do therefore expects it from this Assembly of whose Loyalty and Dutifull affection to his person and Government he is fully Satisfied

Gentlemen

I am Commanded to assure you of his Majesties protection in your Religion and all your just rights & libertys and of his gracious Inclination to encourage your trade on which the Strength and prosperity of the province does in a great measure depend if any new Laws are necessary for the encouragem^t & enlarging of your trade in any of its branches you may depend upon my concurring with you and if there be any thing wanting to make you a flourishing and happy people you may be assured I will use my utmost power & interest to Serve you

W COSBY

Att a Council held at ffort George in New York, the 23^d day of Aug^t, 1732.

PRESENT — *His Excellency* WILLIAM COSBY, Esq^r, Cap^t Genall and Gov^r in Chief, &c.,

M^r CLARKE,
M^r HARRISON,
D^r COLDEN,
M^r ALEXANDER,

M^r VAN HORNE,
M^r LIVINGSTON,
M^r KENNEDY,
M^r DE LANCEY.

D^r Colden & M^r Livingston two of the members of this Board took the usuall oaths by Law appointed to be taken repeated and subscribed the Test & also took the oath of a privy Counsellor

A Message from the Assembly by M^r Garritsen with the Bill entitled, an Act for the further continuing an Act entitled, an Act to let to farm the Excise of Strong liquors retailed in this

Colony for the time therein mentioned & for declaring Shrub lyeable to the same Dutys as distilled liquors & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a Second reading

Att a Council held at ffort George in New York, the 24th day of August, 1732.

PRESENT— *His Excellency* W^m COSBY, Esq^r, Captⁿ Generall & Gov^r in chief, &c.,

M^r VAN DAM,

M^r CLARKE,

M^r HARRISON,

D^r COLDEN,

M^r ALLEXANDER,

M^r VAN HORNE,

M^r LIVINGSTON,

M^r KENNEDY,

M^r DE LANCEY.

The Bill entitled, an Act for the further continuing an Act entitled, an Act to lett to farm the Excise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the same Dutys as distilled Liquors was read a second time and committed to the Gent of the Councill or any five of them

Att a Councill held at ffort George in New York, the 25th day of August, 1732.

PRESENT — *His Excellency* W^m COSBY, Esq^r, Captain Genrall and Gov^r in chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r LIVINGSTON,

M^r DE LANCEY,

M^r COURTLANDT.

M^r Clarke Chairman of the Committee (to whom was Committed the Bill entitled, An Act for the further continuing An Act entitled, An Act to let to farm the Excise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the same Dutys as distilled liquors) in his place reported from the said Committee that the Committee were ready to make their report thereof when this Board wo'd please to receive the same

Ordered, that the Said report be made immediately

Then M^r Clarke in his place reported that the Committee had gone through the Said Bill without any amendments

Which report was agreed to and approved of by the Board

Ordered, that the said Bill be read the third time

Then the Said Bill was read the third time & past without any Amendment

Ordered, that M^r Clark do acquaint the house of Representatives therewith

Att a Councill held the 15th day of Septemb^r, 1732, at ffort George in New York.

PRESENT — *His Excellency* WILLIAM COSBY, Esq^r, Captain Genrall and Gov^r in Chief, &c.,

M^r VAN DAM,

M^r CLARKE,

M^r ALLEXANDER,

M^r KENNEDY,

M^r DE LANCEY,

M^r COURTLANDT.

A Message from the Assembly by Coll Gaasbeck with the Bill entituled, An Act for the further continuance of An Act entituled, An Act for settling and regulating the Militia in this Province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same During the time therein mentioned And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a 2^d reading

A Message from the Assembly by Maj^r Plat with the Bill entitled, An Act to prevent the destruction of Sheep by Doggs And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Hutchinson with the Bill Entitled, An Act for the better clearing regulating and further laying out publick highways in the County of Suffolk And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Hicks with the Bill Entitled, An Act to prevent the penning or folding of Sheep and Neat Cattle feeding on Hempstead plains And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Willet with the Bill Entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of West Chester and Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered, a second reading

Att a Councill held at ffort George in New York, the 21st Sep^r, 1732.

PRESENT— *His Excellency* W^m COSBY, Esq^r, Capt^m Genrall and Gov^r in Chief, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr ALLEXANDER,

Mr KENNEDY.

Mr DE LANCEY.

A Message from the Assembly by Cap^t Pawling with the Bill entitled, An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Ulster And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a 2^d reading

A Message from the Assembly by Coll Morris with the Bill entitled, An Act for the speedy punishing and releasing such persons from Imprisonment as shall Committ any criminall offence under the degree of Grand Larceny in the severall Countys therein mentioned and Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Cap^t Hicks with the Bill entitled, An Act for reviving An Act entitled, An Act to prevent the setting on fire or burning the old Grass on Hempstead plains and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered, a 2^d reading

A Message from the Assembly by Mr Lott with the Bill entitled, An Act for reviving An Act entitled, An Act to prevent desertion from his Maties forces in the province of New York and for providing remedys for that purpose in cases not provided by the said Act and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Heering with the Bill entitled, An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick highways in Kings County, Queens County, Richmond County & Orange County and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act for the relief of such Insolvent Debtors as shall be charged in execution for debts not exceeding flourty shillings and the costs of suits in the severall Countys therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a 2^d reading

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in Dutchess County and for altering some of the Commissioners in the Neighbourhood of Wysack called Dover And desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Morris with the Bill entitled, An Act to encourage the destroying of Wolves in the County of Albany, Ulster County, Orange County, Dutches County and County of West Chester And desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Mr De Lancey with the Bill entitled, An Act for confirming unto the City of New York its rights and priviledges and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

The Bill entitled, An Act for the further Continuance of An Act entitled, An Act for settling & regulating the Militia in this province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same during the time therein mentioned Was read a second time and Committed to the Gentlemen of the Councill or any five of them

The Bill entitled, An Act to prevent the destruction of Sheep by Dogs was read a second time and committed to the Gent of the Councill or any five of them

The Bill entitled, An Act for the better clearing regulating and further laying out of publick highways in the County of Suffolk was read a second time And committed to the Gent of the Council or any five of them

The Bill entitled, An Act to prevent the penning or ffoldng of Sheep and Neatt Cattle feeding on Hempstead plains was read a second time and Committed to the Gent of the Councill or any five of them

The Bill entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of West Chester was read a second time and Committed to the Gentlemen of the Council or any five of them

Att a Councill held at ffort George in New York, the 22^d day of September, 1732.

PRESENT — *His Excellency* W^m COSBY, Esq^r, Captain Generall and Governour in Chief, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr ALEXANDER,

Mr KENNEDY,

Mr DE LANCEY,

Mr COURTLANDT.

Mr De Lancey Chairman of the Committee (to whom the following Bills were committed viz^t the Bill entitled, An Act for the further Continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the Same usefull for the Security and defence thereof and for repealing all other acts relating to the same during the time therein mentioned, and also the Bill entitled, An Act to prevent the Destruction of Sheep by Doggs, and also the Bill entitled An Act for the better clearing regulating and further laying out publick Highways in the County of Suffolk, and also the Bill entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out publick highroads in the County of West Chester. and also the Bill entitled, An Act to prevent the penning or ffoldng of Sheep and Neatt Cattle feeding on Hempstead plaines) reported from the said Committee that they were ready to make their report thereof when this Board would please to receive the same

Ordered, that the said report be made Immediately

Then Mr De Lancey in his place Reported from the said Committee that they had gone through the s^d first four mentioned Bills without any amendments

Then the question was putt

Whether the Board agreed to the said report?

And the same was agreed to and approved of by the Board

Ordered, that the said first four mentioned Bills be Read the third time

Then the same Bills were Read the third time and past without any amendments

Ordered that Mr De Lancey do acquaint the house of Representatives therewith

And as to the Bill entitled, An Act to prevent the penning or folding of Sheep and Neatt Cattle feeding on Hempstead plains Mr De Lancey further reported from the said Committee that they had gone through the said Bill with an amendment

Ordered that the Amendment made to the said Bill be read

Then the Amendment made to the said Bill was read and

The question being putt

Whether the Board agreed thereto?

The same was agreed to and approved of by the Board

Ordered, that the Said Bill be read the third time as amended

Then the Said Bill was read the third time as amended and past

Ordered, that Mr De Lancey do carry the said Bill with the Amendment made thereto to the House of Representatives and desire their Concurrence to the same

The Bill entitled, An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Ulster was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for the Speedy punishing and releasing Such persons from Imprisonment as shall commit any criminall offences under the degree of Grand Larceny in the severall Countys therein mentioned Was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for reviving An Act entitled, An Act to prevent the setting on fire or burning the old grass on Hempstead plaines was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for reviving An Act entitled, An Act to prevent Desertion from his Maties forces in the Province of New York and for providing remedies for that purpose in cases not provided by the Said Act Was read a second time & committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick highways in Kings County, Queens County, Richmond County and Orange County Was read a second time and committed to the Gent of the Council or any five of them

The Bill entitled, An Act for the relief of Such insolvent Debtors as shall be charged in Execution for debts not exceeding forty Shillings and the costs of suits in the Severall Countys therein mentioned Was read a second time & committed to the Gent of the Council or any five of them

The Bill entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out Publick highroads in Dutches County and for altering Some of the Comissioners in the Neighbourhood of Wysack called Dover, was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to encourage the destroying of Wolves in the County of Albany, Ulster County, Orange County, Dutches Connty and County of West Chester was read a second time and committed to the Gent of the Council or any five of them

The Bill entitled, An Act for confirming unto the City of New York it's rights and priviledges was read a second time and committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Capt^a Van Horne with the Bill entitled, An Act for Naturalizing Maria Veldtman, Geertruyda Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis and Johannes Francisens Walter and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Att a Council held at ffort George in New York, the 23^d day of Septem^r, 1732.

PRESENT— His Excellency W^m COSBY, Esq^r, Capt^a Generall and Gov^r in chief, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr ALLEXANDER,

Mr DE LANCEY,

Mr COURTLANDT.

Mr Allexander Chairman of the Committee (to whom were committed the Nine following Bills) viz^t

1 The Bill entitled, An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Ulster,

2 The Bill entitled, An Act for the Speedy punishing and releasing Such persons from Imprisonment as shall committ any criminal offences under the degree of grand Larceny in the Severall Countys therein mentioned

3. The Bill entitled, An Act for reviving An Act entitled, An Act to prevent the Setting on fire or burning the old grass on Hempstead plaines

4. The Bill entitled, An Act for reviving An Act entitled, An Act to prevent Desertion from his Majesties forces in the Province of New York and for providing remedies for that purpose in Cases not provided by the Said Act

5. The Bill entitled. An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick highways in Kings County, Queens County, Richmond County and Orange County

6. The Bill entitled, An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out Publick highroads in Dutches County and for altering Some of the Comissioners in the Neighbourhood of Wysack called Dover

7 The Bill entitled, An Act to encourage the Destroying of Wolves in the County of Albany, Ulster County, Orange County, Dutches County and County of Westchester,

8. The Bill entitled, An Act for confirming unto the City of New York it's rights and priviledges and also

9 The Bill entitled, An Act for the relief of Such insolvent Debtors as shall be Charged in Execution for Debts not exceeding forty Shillings and the Costs of Suit in the severall Countys therein mentioned) reported from the Said Committee that they were ready to make their report thereof when this Board wo'd please to receive the Same

Ordered, that the Said report be made immediately

Then Mr Allexander in his place reported from the s^d Cōmittee that they had gone through the first mentioned eight Bills without any amendments

Then the question being putt

Whether the Board agreed to the Said report

The Same was agreed to and approved of by the Board

Ordered, that the Said first mentioned Eight Bills be read the third time

Then the Said Bills were read the 3^d time and past without any amendments

Ordered, that Mr Allexander do acquaint the house of Representatives therewith

And as to the Bill entitled, An Act for the relief of such insolvent Debtors as shall be charged in Execution for Debts not exceeding forty Shillings and the Costs of Suits in the severall Countys therein mentioned

Mr Allexander farther reported from the Said Committee that they had gone through the said Bill with an Amendment

Ordered, that the amendment made to the Said Bill be read

Then the amendment made to the Said Bill was read and

The question being putt

Whether the Board agreed thereto ?

The same was agreed to and approved of by the Board

Ordered, that the Said Bill be read the third time as amended

Then the said Bill was read the third time as amended and past

Ordered, that Mr Allexander do carry the Said Bill with the amendment made by this Board thereto, to the house of Representatives and desire their Concurrence to y^e Same

The Bill entitled, An Act for Naturalizing Maria Veldtman, Gertruyda Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis and Johannes franciscus Walter, Was read a second time and committed to the Gent of the Council or any five of them

Att a Councill held at ffort George in New York, the 28th Sep^r, 1732.

PRESENT —

His Eccie W^m COSBY, Captⁿ Genall & Gov^r in chief, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr HARRISON,

Mr ALLEXANDER,

Mr KENNEDY,

Mr DE LANCEY,

Mr COURTLANDT.

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act for the relief of Such insolvent Debtors as shall be charged in Execution for debts not exceeding forty Shillings and the costs of Suit in the Severall Countys therein mentioned that the House do agree to the amendments made by this Board to the Said Bill

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act to prevent the penning or folding of Sheep and neat Cattle feeding on Hempstead plains, that that house do disagree to the amendment made By this Board to the Said Bill

Then the question being putt

Whether this Board wo'd adhere to their amendments made to the Said Bill ?

Resolved, That this Board do adhere to their amendment made to the Said Bill and

Ordered, that Mr De Lancey do acquaint the house of Representatives therewith

A Message from the Assembly by Mr Lott with the Bill entitled, An Act for reviving An Act entitled, An Act for Licensing Hawkers and Pedlers within this Collony and for paying the Sum of Sixty pounds unto Richard Bradley Esq^r and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Gaasbeck with the Bill entitled, An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the Said County & to enable them to dispose of the old County house and Goal and the Lott of Ground it Stands on and to enjoyn the Supervisors to raise the Charge of executing the Negroe therein mentioned and Desiring the Concurrence of this Board thereto

Ordered, That the Said Bill be read

Then the Said Bill was read the first time and

Ordered a second reading

Mr De Lancey moved for leave to bring in a Bill for ascertaining the boundaryes of the Countys of West Chester, Albany and Dutchess

Ordered, that Mr De Lancey have leave to present in a Bill accordingly

Then Mr De Lancey accordingly presented to the Board a Bill for the purposes aforesaid

Ordered, that the Said Bill be read

Then the Said Bill entitled, An Act to Ascertain the Boundaryes of the Countys of West Chester, Albany and Dutches was read a first time &

Ordered a second reading

Att a Councill held at ffort George in New York, the 29th day of Septemb^r, 1732.

PRESENT — His Excie W^m COSBY, Esq^r, Captⁿ Genall & Gov^r in chief, &c,

Mr VAN DAM,

Mr CLARKE,

Mr HARRISON,

Mr ALLEXANDER,

Mr KENNEDY,

Mr DE LANCEY,

Mr COURTLANDT.

Mr Courtlandt Chairman of the Committee (to whom was committed the Bill entitled, An Act for Naturalizing Maria Veldtman, Gertruyda Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis and Johannis Francisssens Walter) reported from the Said Committee that they were ready to make their report thereof when this Board wo'd please to receive the Same

Ordered, that the Said report be made immediately

Then Mr Courtlandt in his place reported that they had gone thro' the Said Bill with Some amendments

Ordered, that the amendments made to the Said Bill be read

Then the amendments made to the Said Bill were read and

The question being putt

Whether the Board agreed thereto ?

The Same were agreed to and confirmed by the Board

Ordered, that the Said Bill be read the third time as amended

Then the Said Bill was read the third time as amended and past

Ordered, that Mr Cortlandt do carry the Said Bill with the amendm^{ts} made by this Board thereto, to the house of Representatives and desire their Concurrence to the Same

The Bill entitled, An Act for reviving An Act entitled, An Act for Lysensing Hawkers and pedlers within this Collony and for paying the Sum of Sixty pounds unto Richard Bradley Esq was read a Second time and committed to the Gent of the Councill or any five of them

The Bill entitled, An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the said County, and to enable them to dispose of the old County house and Goal and the Lott of ground it stands on and to enjoyn the Supervisors to raise the Charge of execting the Negroe therein mentioned Was read a second time and committed to the Gent of the Councill or any five of them

The Bill entitled, An Act to ascertain the boundaries of the Countys of West Chester Albany and Dutches was read a second time and committed to the Gent of the Councill or any five of them

A Message from the Assembly by Cap^t Van Horne with the Bill entitled, An Act to revive and enforce part of An Act entitled, An Act to enlarge & release Andrew Law Jun^r upon surrendering of his Estate in the manner and for the use therein mentiond And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a 2^d reading

Att a Councill held at ffort George in New York, the 5th day of October, 1732.

PRESENT His Excellency WILL^m COSBY, Esq^r, Captain Genall & Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,

Mr DE LANCEY,
Mr COURTLANDT.

A Message from the Assembly by Captⁿ Rutgers with the Bill entitled, An Act for the speedy punishing and releasing such persons from Imprisonment as shall committ any Criminal offences in the City of New York under the degree of Grand Larceny, and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

The Bill entitled, An Act to revive & enforce part of An Act entitled, An Act to enlarge & release Andrew Law Jun^r upon surrendering of his Estate in the manner and for the use therein mentioned Was read a second time and committed to the Gentlemen of the Councill or any five of them

A Message from the Assembly by Captain Van Horne with the Bill entitled, An Act for Naturalizing Maria Veldtman, Gertruyda Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis and Johannes Francisus Walter that that House do agree to the amendments made by this Board to the said Bill

Mr Harrison Chairman of the Committee to whom was Committed the three following Bills viz^t (1.) The Bill entitled, An Act for reviving An Act entitled, An Act for lycensing Hawkers and pedlars within this Collony and for paying the sum of sixty pounds unto Richard Bradley Esq^r (2) The Bill entitled, An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the said County and to enable them to dispose of the old County house and Goal and the Lett of ground it stands on and to enjoyn the Supervisors to raise the Charge of executing the Negroe therein mentioned And (3) The Bill entitled, An Act to ascertain the boundaries of the County of West Chester Albany and Dutches Reported from the said Committee that they were ready to make their report thereon when this Board wo^d please to receive the same

Ordered, that the said report be made immediately

Then Mr Harrison in his place Reported from the said Committee That as to the Bill entitled, An Act for reviving An Act entitled, An Act for lycensing Hawkers and pedlars &c The Committee had gone through the said Bill without any amendments

Then the question being putt

Whether the Board agreed to the said report?

The same was agreed to and approved of by the Board

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Harrison do acquaint the House of Representatives therewith

And as to the Bill entitled, An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the said County &c The said Mr Harrison further reported from the said Committee That the Committee had gone through the said Bill with some amendments

Ordered, that the amendments made to the said Bill be read

Then the Amendments made to the said Bill were read

And the question being putt

Whether the Board agreed thereto?

The same were agreed to and approved of by the Board

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time as amended and past

Ordered, That Mr Harrison do carry the said Bill with the Amendments made by this Board thereto, to the house of Representatives and desire their Concurrence to the same

And as to the Bill entitled, An Act to ascertain the boundaryes of the Countys of West Chester Albany and Dutches Mr Harrison further reported from the said Committee That the Committee had gone through the said Bill with an amendment

Ordered, that the Amendment made to the said Bill be read

Then the Amendment made to the said Bill was read and the Board not unanimously agreeing to the amendment as made

The question was putt

Whether the s^d Bill sho'd be recommitted?

Which was carried in the affirmative and

Ordered, that the said Bill be recommitted accordingly

Att a Council held at ffort George in New York, the 10th day of Oct, 1732

PRESENT — His Excie W^m COSBY, Esq^r, Captⁿ Genall & Gov^r in Chief, &c.,

Mr VAN DAM,

Mr CLARKE,

Mr HARRISON,

Mr VAN HORNE,

Mr KENNEDY,

Mr DE LANCEY,

Mr COURTLANDT.

A Message from the Assembly by Captⁿ Van Horne & Captain Rutgers with the Bill entitled, An Act to repeal the Act and to cancell the bills of credit therein mentioned, and to grant unto his Majesty severall dutys for supporting his Government in the Collony of New York untill the first day of September which will be in the year one thousand seven hundred and thirty seven and Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Myndert Schuyler with the Bill entitled, An Act to discharge the severall demands on the trading house at Oswego to support his Maties troops posted there to regulate the Indian trade to prevent abuses in the same and for other purposes therein mentioned And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Captⁿ Rutgers with the Bill entitled, An Act to regulate the ferry between the City of New York and the Island of Nassaw and to establish the ferriage thereof And Desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

The Bill entitled, An Act for the speedy punishing and releasing such persons from Imprisonment as shall committ any criminal offence in the City of New York under the degree of grand Larceny Was read a second time and Committed to the Gentlemen of the Councill or any five of them

A Message from the Assembly by Coll Hicks of the 9th instant being laid before y^e Board acquainting them that that House cannot agree to the amendments made by this Board to the Bill entitled, An Act to prevent the penning or folding of Sheep and Neatt Cattle feeding on Hempstead plaines And Desiring that a Committee of this Board may be appointed to meet a Committee of their House to confer upon the subject matter thereof at such time and place as this Board sho'd think fitt to appoint

On reading whereof It is

Ordered, that Mr De Lancey do acquaint the House of Representatives that this Board has appointed Mr Clarke Mr Harrison & Mr Cortlandt to be a Committee to join a Committee of that House to conferr together upon the subject matter of their said Message the 9th instant and that the time and place for such Committee to meet at be too morrow morning at nine of the Clock in the forenoon at the Coffee house in this City

A Message from the Assembly by Coll Gaasbeek with the Bill entitled, An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the said County and to enable them to dispose of the old County house and Goal & the Lott of ground it stands on and to enjoyn the Supervisors to raise the Charge of executing the Negroe therein mentioned that that house Do agree to the amendments made by this Board to the said Bill

Mr Van Horne Chairman of the Committee (to whom were referred the two following Bills viz^t The Bill entitled, An Act to revive and enforce part of An Act entitled, An Act to enlarge and release Andrew Law Jun^r upon surrendering of his Estate in the manner and for the use therein metioned and also the Bill entitled, An Act for the speedy punishing and releasing

such persons from Imprisonm^t as shall committ any criminall offences in the City of New York under the degree of Grand Larceny, reported from the said Committee that they were ready to make their report thereof when this Board wo'd please to receive the same

Ordered, that the said report be made immediately

Then M^r Van Horne in his place reported from the said Committee that they had gone through the said two Bills without any amendments

W^{ch} report was agreed to and approved of by the Board

Ordered, that the said two Bills be read the third time

Then the said two Bills were read the third time and past without any amendments

Ordered, that M^r Van Horne do acquaint the House of Representatives therewith

M^r Harrison Chairman of the Committee (to whom the Bill entitled, An Act to ascertain the boundaryes of the Countys of West Chester Albany and Dutches was recommitted) reported from the said Committee that they were ready to make their report thereof when this Board wo'd please to receive the same

Ordered, that the said report be made immediately

Then M^r Harrison in his place reported from the said Committee that they had gone through the said Bill and made a further amendm^t in the body thereof

Ordered, that the Amendment made to the said Bill be read

Then the Amendment made to the said Bill was read

And the question being putt

Whether the Board agreed thereto?

The same was agreed to and approved of by the Board

Ordered, that the Bill with the Amendments be ingrostr

Att a Councill held at ffort George in New York, the 11th day of Oct^r, 1732.

PRESENT— His Excie W^m COSBY, Esq^r, Capt^a Genall & Gov^r in Chief, &c.,

M^r VAN DAM,

M^r CLARKE,

M^r HARRISON,

M^r ALEXANDER,

M^r VAN HORNE,

M^r CORTLANDT.

The Bill entitled, An Act to repeal the Act and to cancell the Bills of creditt therein mentioned and to grant unto his Matie severall Dutys for supporting his Government in the Collony of New York untill the first day of Septemb^r which will be in the year One thousand seven hundred and thirty seven was read a second time and Committed to the Gent of the Councill or any five of them

The Bill entitled, An Act to discharge the severall Demands on the trading house at Oswego to support his Majestys Troops posted there to regulate the Indian trade to prevent abuses in the same and for other purposes therein contained Was read a second time and Committed to the Gent of the Councill or any five of them

The Bill entitled, An Act to regulate the ferry between the City of New York and the Island Nassau and to establish the ferriag^e thereof was read a second time and Committed to the Gent of the Councill or any five of them

M^r Harrison Chairman of the Committee appointed by a Minnutt of this Board of yesterdays date to meet a Committee of the house of Representatives to conferr together upon the subject matter of their message of the 9th instant with respect to the amendment made by this Board to the Bill entitled, An Act to prevent the penning or flogging of Sheep and Neatt Cattle feeding on Hempstead plaines reported that it was the joint opinion of the Committee that the said Bill with the amendm^t sho'd lye on the table for further consideration untill the next Session of the Assembly

The Board taking into Consideration the amendment made by the Committee of this Board to the Bill entitled, An Act to ascertain the boundaryes of the Countys of West Chester Albany and Dutches Added a further amendm^t thereto which having been read was agreed to and approved of by the Board

Then the said Bill was Ingrostr as ultimately amended & entitled as aforesaid was read the third time and past

Ordered, that M^r Harrison do carry the said Bill to the House of Representatives and desire their Concurrence thereto

Post Meridiem

PRESENT as before & also M^r DE LANCEY

M^r Courthudt Chairman of the Committee (to whom the three following Bills were committed viz^t

1 The Bill entitled, An Act to repeal the Act and to cancell the Bills of creditt therein mentioned and to grant unto his Matie Severall Dutys for Supporting his Government in the

Colony of New York untill the first day of September which will be in the year one Thousand Seven hundred & thirty Seven

2 The Bill entitled, An Act to discharge the Severall demands on the trading house at Oswego to Support his Maties Troops posted there to regulate the Indian trade to prevent abuses in the Same and for other purposes therein contained and also

3 The Bill entitled, An Act to regulate the ferry between the City of New York & the Island of Nassau and to establish the ferryage thereof) reported from the Said Committee that they were ready to make their report thereon when this Board wo'd please to receive

Ordered, That the said report be made immediately

Then M^r Courtlandt in his place reported from the said Committee that they had gone through the said three Bills without any amendments

Then the question being putt

Whether the Board agreed to the said report?

The same was agreed to & approved of by the Board

Ordered, that the two first mentioned Bills be read the third time

Then the said two first mentioned Bills were read the third time and past without any Amendments

Ordered, that M^r Courtlandt do acquaint the house of Representatives therewith and

Ordered, that the third mentioned Bill entitled, An Act to regulate the ferry between the City of New York & the Island of Nassau & to establish the ferryage thereof be read the third time

Att a Council held at ffort George in New York, the 13th day of October, 1732.

PRESENT — His Excie WILLIAM COSBY, Esq^r, Captain Genall & Gov^r in chief, &c.,

M^r VAN DAM,

M^r VAN HORNE,

M^r CLARKE,

M^r KENNEDY.

M^r HARRISON,

The Bill entitled, An Act to regulate the ferry between the City of New York and the Island of Nassau and to establish the ferryage thereof was read the third time and past without any amendments

Ordered, That M^r Courtlandt do acquaint the house of Representatives therewith

A Message from the Assembly by Major Van Rensselaer with the Bill Entitled, An Act to encourage a publick School in the City of New York for teaching Latin, Greek and Mathematicks and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

Post Meridiem

PRESENT as above

The Bill entitled, An Act to encourage a publick School in the City of New York for teaching Latin, Greek and Mathematicks was read a second time & committed to the Gentlemen of the Council or any five of them

Att a Council held at ffort George in New York, the fourteenth day of October, 1732

PRESENT — His Excellency WILLIAM COSBY, Captain Generall and Gov^r in chief, &c.,

M^r VAN DAM,

M^r VAN HORNE,

M^r CLARKE,

M^r KENNEDY,

M^r HARRISON,

M^r DE LANCEY,

M^r ALLEXANDER,

M^r COURTLANDT.

M^r Harrison Chairman of the Committee (to whom the Bill entitled, An Act to encourage a publick school in the City of New York for teaching Latin, Greek and Mathematicks was committed) reported from the said Committee that they were ready to make their report thereof when this Board wo'd please to receive the Same

Ordered, that the said report be made immediately

Then M^r Harrison in his place reported from the Said Committee that they had gone through the said Bill without any amendments

Which report was agreed to & approved of by the Board

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any amendments

Ordered, that Mr Harrison do acquaint the House of Representatives therewith

Ordered, that the Deputy Clerk of this Board do acquaint the house of Representatives that his Excellency requires their immediate attendance at the Council Chamber

The Assembly accordingly attending with their Speaker his Excellency gave his Assent to the following Bills viz^t

1. An Act for the further continuing An Act entitled, An Act to Lett to farm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned and for Declaring Shrub lyeable to the same Dutys as distill'd Liquors

2. An Act for the further Continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the Same usefull for the Security and defence thereof and for repealing all other acts relating to the same during the time therein mentioned

3. An Act to prevent the destruction of Sheep by Doggs

4. An Act for the better clearing regulating and further laying out publick highways in the County of Suffolk

5. An Act for reviving An Act entitled, An Act for the better clearing regulating and further laying out Publick highroads in the County of West Chester

6. An Act for continuing An Act entitled, An Act for the better Clearing regulating and further laying out publick high roads in the County of Ulster

7. An Act for the Speedy punishing and releasing Such persons from Imprisonment as shall Committ any criminall offences under the degree of Grand Larceny in the severall Countys therein mentioned

8. An Act for reviving An Act entitled, An Act to prevent the setting on fire or burning the old grass on Hempstead plaines

9. An Act reviving An Act entitled, An Act to prevent desertion from his Majestys forces in the province of New York and for providing remedies for that purpose in cases not provided by the said Act

10. An Act for continuing An Act entitled, An Act for the better clearing regulating and further laying out publick highways in Kings County, Queens County, Richmond County and Orange County

11. An Act for reviving An Act entituled, An Act for the better clearing regulating and further laying out publick highroads in Dutchess County and for altering Some of the Commissioners in the neighbourhood of Wysack called Dover

12. An Act to encourage the destroying of Wolves in the County of Albany, Ulster County, Orange County, Dutchess County and County of West Chester

13. An Act for confirming unto the City of New York it's rights & priviledges

14. An Act for the relief of Such insolvent Debtors as shall be charged in Execution for debts not exceeding flourty Shillings and the costs of Suit in the Severall Countys therein mentioned

15. An Act for Naturalizing Maria Veldtman, Gertruyda Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis, Johannes Francissus Walter and John Dewint

16. An Act for reviving An Act entitled, An Act for lycensing Hawkers & Pedlers within this Colony and for paying the Sum of Sixty pounds unto Richard Bradley Esq^r.

17. An Act to enable the Justices of the peace in Ulster County to build a Court house and Goal for the Said County and to enable them to dispose of the old County house and Goal & the Lott of ground it Stands on & to enjoin the Supervisors to raise the Charge of executing the Negroe therein ment^d

18. An Act to revive and enforce part of An Act entitled, An Act to enlarge and release Andrew Law Jun^r upon Surrendering of his Estate in the Manner and for the use therein mentioned

19. An Act for the Speedy punishing and releasing Such persons from Imprisonment as shall committ any criminall offences in the city of New York under the degree of Grand Larceny

20. An Act to repeal the Act and to cancell the bills of credit therein mentioned and to grant unto his Matie Severall Dutys for Supporting his Govern^t in the Collony of New York untill the first day of September which will be in the year one Thousand Seven hundred & thirty seven

21. An Act to discharge the severall demands on the trading house at Oswego to Support his Majties Troops posted there to regulate the Indian trade to prevent abuses in the Same and for other purposes therein contained

22. An Act to regulate the ferry between the City of New York and the Island of Nassau and to establish the ferryage thereof

23. An Act to encourage a publick School in the City of New York for teaching Latin, Greek and Mathematicks

And afterwards His Excellency attended by the Gentlemen of the Councill, the Members of the house of Representatives and the Gentlemen of the Corporation went to the City Hall & there caused the severall Acts aforesaid to be published

Then His Excellency attended as aforesaid returned to the Council Chamber & recommended to the Speaker of the House of Representatives that they Sho'd adjourn themselves until the second tuesday of the month of Aprill next ensuing

TWENTIETH ASSEMBLY FIFTH SESSION.

Att a Councill held the 16th of Oct^r, 1733.

PRESENT — His Excie W^m COSBY, Esq^r, Captⁿ Genall & Gov^r in chief, &c.,

Mr CLARKE,

Mr HARRISON,

Mr LIVINGSTON.

Mr KENNEDY,

Mr COURTLANDT,

Mr LANE.

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that his Excellency requires their imēdiate attendance at the Councill Chamber

The Assembly accordingly attending with their Speaker his Excie made a Speech to them in the words following viz^t

Gentlemen,

The season of the year being So far advanc'd I shall only at this time recōmend to your consideration a thorow repair of the Barracks in this ffort, The work has been allready begun on some of them and a moderate expense may finish it & make them usefull for many years, but if they are longer neglected they will in a short time be incapable of a repair & must of necessity be new built the charge whereof will be much heavier than that of a present repair

There are some temporary Laws expired or pretty nigh expiring which it will be necessary to revive or continue, I need not point them out to you, You know them & the usefullness of them, These & whatever else are necessary for y^e wellfare of y^e province I will readily concur in

W COSBY

Att a Councill held at ffort George in New York, the 24th day of October, 1733.

PRESENT — His Excie W^m COSBY, Esq^r, Captain Genall & Gov^r in chief, &c.,

Mr CLARKE,

Mr HARRISON,

Mr KENNEDY,

Mr COURTLANDT,

Mr LANE.

A Message from the Assembly by Coll Hutchinson with the Bill entitled, An Act for the further continuing An Act entitled, An Act for the encouragement of Whaling And desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Hicks with the Bill entitled, An Act for the further continuing An Act entitled, An Act for encouraging the returning of Neat Cattle and Sheep to their Owners & desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Att a Councill held at ffort George in New York, the 29th day of Oct, 1733.

PRESENT — His Excie W^m COSBY, Esq^r, Captⁿ Genall & Gov^r in chief, &c.,

M^r CLARKE,

M^r VAN HORNE,

M^r KENNEDY,

M^r COURTLANDT,

M^r LANE,

M^r HORSMANDEN.

The Bill entitled, An Act for the further continuing An Act entitled, An Act for the encouragement of whaling was read a second time and Committed to the Gentlemen of the Councill or any five of them

The Bill entitled, An Act for the further continuing An Act entitled, An Act for encouraging the returning of Neat Cattle and Sheep to their Owners was read a second time and comited to the Gent of the Councill or any five of them

His Excie withdrawing The Board resolved into a Committee to consider of the two foregoing Bills

The Committee being agreed on their report by them to be made thereon and his Excellency acquainted therewith

His Excellency return'd to the Councill Chamber and took his place

Then M^r Van Horne Chairman of the Committee to whom the said two Bills were referr'd reported from the said Committee that they were ready to make their report thereof when this Board wo'd please to receive the same

Ordered, that the said report be made Immediately

Then M^r Van Horne in his place reported that the Committee had gone through the said two Bills with^t any amendments

Then the question being put

Whether the Board agreed to the said report?

The same was agreed to and approv'd of by the Board

Ordered, that the said two Bills be read the third time

A Message from the Assembly by Major Platt with the Bill entitled, An Act for the further continuing An Act entitled, An Act to Let to ffarm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned & for declaring Shrub lyeable to the same dutys as distill'd Liquors and desiring the Concurrence of this Board thereto

Ordered, That the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Phillip Schnyler with the Bill entitled, An Act for the further continuance of An Act entitled, An Act for settling and regulating the Militia in this province & making the same usefull for the security & defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been reviv'd & continued & desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Post Meridiem.

PRESENT as before

The Bill entitled, An Act for the further continuing An Act entitled, An Act to let to ffarm the Excise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the same Dutys as distill'd liquors Was read a second time and committed to the Gent of the Councill or any five of them

The Bill entitled, An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been revived and continued Was read a second time and committed to the Gent of the Councill or any five of them

Att a Councill held at ffort George in New York, the 30th day of October, 1733.

PRESENT— *His Excie W^m COSBY, Esq^r, Captain Genall & Gov^r in chief, &c.,*

M^r CLARKE,
M^r VAN HORN,
M^r KENNEDY,
M^r DE LANCEY,

M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

The two following Bills viz^t The Bill entitled, An Act for the further continuing An Act entitled, An Act for the encouragem^t of whaling, And the Bill entitled, An Act for the further continuing An Act entitled, An Act for encouraging the returning of Neat Cattle and Sheep to their Owners Was read the third time and past with^t any amendments

Ordered, that M^r Van Horne do acquaint the House of Representatives therewith

A Message from the Assembly by Coll Hicks with the Bill entitled, An Act to prevent the penning or folding of Sheep and Neat Cattle feeding on Hempstead plaines and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Captⁿ Rutgers with the Bill entitled, An Act to repeal part of a Clause in the Act therein mentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time and

Ordered a second reading

Att a Councill held at ffort George in New York, the 31st day of October, 1733.

PRESENT— *His Excellency W^m COSBY, Esq^r, Captain Generall & Gov^r in chief, &c.,*

M^r CLARKE,
M^r VAN HORNE,
M^r KENNEDY,

M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

M^r Horsmanden Chairman of the Committee to whom were referr'd the two following Bills viz^t The Bill entitled, An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors retail'd in this Collony for the time therein mentioned and for Declaring Shrub Lyeable to the same Dutys as distilled Liquors, as also the Bill entitled, An Act for the further Continuance of An Act entitled, An Act for Settling and regulating the Militia in this Province and making the Same usefull for the Security and defence thereof and for repealing all other acts relating to the Same as likewise the severall acts whereby the Same has been reviv'd & continued

In his place reported from the Said Committee that the Committee were ready to make their report on Said two Bills when this Board wo'd please to receive the same

Ordered, that the Said report be made immediately

Then M^r Horsmanden reported that the Committee had gone through the Said two Bills without any Amendments

Then the question being put

Whether the Board agreed to the Said report

The Same was agreed to and approv'd of by the Board

Ordered, that the Said two Bills be read the third time

Then the Said two Bills were read the third time and past without any Amendments

Ordered, that M^r Horsmanden do acquaint the House of Representatives therewith

The Bill entitled, An Act to prevent the penning or folding of Sheep and Neat Cattle feeding on Hempstead plaines was read a Second time and Comitted to the Gent of the Councill or any five of them

The Bill entitled, An Act to repeal part of a Clause in the Act therein mentioned was read a second time & Committed to the Gent of the Councill or any five of them

A Message from the Assembly by Captain Rutgers with the Bill entitled, An Act to preserve the Breed of English Pheasants in this Collony and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Captⁿ Hicks with the Bill entitled, An Act to empower the Vestry of the Parish of Jamaica in Queens County to dispose of Sixty pounds now in the hands

of the Church Wardens of Said Parish for the use & benefitt of that Parish & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

His Excellency withdrawing The Gent of the Comcill resolved into a Committee to consider of the two Bills to them referred

The Committee being agreed on their report by them to be made thereon & his Excellency acquainted therewith

His Excellency returned to the Councill Chamber & took his place

Then Mr Horsmanden Chairman of y^e Committee to whom the Said two Bills were referr'd in his place reported from the said committee that the Committee had gone through the Said two Bills without any amendments

Then the question being put

Whether the Board agreed to the Said report?

The Same was agreed to and approved of by the Board

Ordered, that the Said two Bills be read the third time

Then the Said two Bills were read the third time and past without amendments

Ordered, that Mr Horsmanden do acquaint the house of Representatives therewith

The Bill entitled, An Act to preserve the Breed of English Pheasants in this Collony was read a second time and comitted to the Gent of the Comcill or any five of them

The Bill entitled, An Act to empower the Vestry of the Parish of Jamaica in Queens County to dispose of Sixty pounds now in the hands of the Church Wardens of Said Parish for the use & benefitt of that parish Was read a Second time and comitted to the Gent of the Councill or any five of them

Post Meridiem

PRESENT as before

Mr Horsmanden Chairman of the Committee to whom the above two mentioned Bills were referred Reported from the Said Committee that they were ready to make their report thereof when this Board wo'd please to receive the Same

Ordered, that the Said report be made immediately

Then Mr Horsmanden in his place reported that the Committee had gone through the Said two Bills without any amendments

Then the question being put

Whether the Board agreed to the Said report?

The Same was agreed to and approv'd of by the Board

Ordered, that the said two Bills be read the third time

Then the said two Bills were read the third time and past without any amendments

Ordered, that Mr Horsmanden do acquaint the House of Representatives therewith

Att a Councill held at ffort George in New York, the first day of Novemb^r, 1733.

PRESENT — His Excic W^m COSBY, Esq^r, Captⁿ Generall & Gov^r in chief, &c.,

Mr CLARKE,

Mr VAN HORNE,

Mr KENNEDY,

Mr DE LANCEY,

Mr COURTLANDT,

Mr LANE,

Mr HORSMANDEN.

Ordered, that the Deputy Clerk of the Board do go to the House of Representatives with the following Message from his Excellency viz^t

That the Winter Season being So near at hand and no other bussiness on foot his Excellency apprehends that the members of the house may by a longer attendance be incōmoded in their Journey to their respective habitations Wherefore he expects the immediate attendance of the House at the Comcill Chamber in order to their being present at his Excies giving his Assent to the Acts of Assembly

The Assembly accordingly attending with their Speaker His Excellency gave his assent to the following Bills viz^t

1. An Act for the further continuing An Act entitled, An Act for the encouragement of whaling

2. An Act for the further continuing An Act entitled, An Act for encouraging the returning of Neat Cattle and Sheep to their Owners

3. An Act for the further continuing An Act entitled, An Act to Let to farm the Excise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyable to the same Dutys as distilled Liquors

4. An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this Province and making the Same usefull for the Security and defense thereof and for repealing all other acts relating to the Same as likewise the severall Acts whereby the Same has been reviv'd & continued

5. An Act to prevent the penning or folding of Sheep and Neat Cattle feeding on Hempstead plaines

6. An Act to repeal part of a Clause in the Act therein mentioned

7. An Act to preserve the breed of English Pheasants in this Collony

8. An Act to empower the Vestry of the Parish of Jamaica in Queens County to dispose of Sixty pounds now in the hands of the Church Wardens of said parish for the use & benefitt of that parish

And afterwards his Excellency attended with the Gent of the Council the Members of the House of Representatives and the Gent of the Corporation went to the City hall and there caused the severall Acts aforesaid to be published

Then His Excellency attended as aforesaid returned to the Council Chamber and recommended to the Speaker of the House of Representatives that they sho'd adjourn untill the third tuesday in April next ensuing

[IN EXECUTIVE SESSION.]

April 4th 1734

The General Assembly of this Province standing adjourned untill the third Tuesday of this Ins^t April which happening to fall in Easter week. It is therefore

Ordered, by his Excie by & with the advice & consent of the Gent of y^e Council now assembled that y^e said General Assembly be prorogued until Thursday y^e 25th day of April Instant and

Order'd, that a Proclamation Issue accordingly

TWENTIETH ASSEMBLY SIXTH SESSION.

Att a Council held at ffort George in New York, the 25th Ap^r, 1734

Post Meridien

PRESENT — His Excie W^m COSBY, Captain Genall & Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,
Mr DE LANCEY,

Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

Ordered, That the Deputy Clerk of this Board do Acquaint the house of Representatives that his Excellency requires their attendance at the Council Chamber

The House accordingly attending with their Speaker His Excellency made a speech to them in the words following viz^t

Gentlemen,

As I know there was Nothing of greater Concern or higher Importance to the prosperity of the province than the Encouragement of trade wherein the welfare and even the subsistence both of the farmer and tradesman depends I have made it my business to inform myself of it's

present situation and of the discouragements it labours under hoping that by discovering the Causes of it's decay I might find a remedy

I will first point out some of the principall causes of the decay of trade and then propose some remedy for them

The first and principall cause is that your Neighbours especially the Bermudians have by degrees got such footing that they are now become your Comon Carryers, whereby not only building, which is a vast advantage to a County, is discouraged & almost wholly disused, artificers without Employ, their families reduced to great Necessity at present and no prospect before them but extreme poverty, or a forsaking their Country; but likewise vast sums of money are yearly carried out of the province by Strangers, who, as I am well informed, spend hardly any thing even for their daily subsistence while here, nor import anything usefull or profitable into it

Another Cause of the decay of Trade is owing to the want of having your flower, the Staple Commodities of the Country, put under such Essays and strict search & inspection as may be necessary to prevent the Exportation of any but such as may equally, in goodness, the best that is exported from your Neighbouring provinces, whose flower has gain'd a reputation Superiour to yours, from the wholesome laws they have made to prevent frauds & abuses

I propose therefore & earnestly recommend to you, Gent^r, to pass some Law or Laws for the encouragement of your own building and Navigation, for the discouragement of those who Supplant you in your Navigation, by laying a Duty of Tonnage on them, and for putting all flower to be exported under a strict Essay & inspection. This will prevent frauds & abuses in bolting, give life to the Expiring hopes of your Ship Carpenters & other tradesmen, recall their unwilling resolution to depart the province, & encourage others to come into it, fill your harbours with Vessells of your own, inspire your youth with warm Inclinations to become seamen, and by giving New Vigour to a declining trade fill your country with riches & spread it's reputation far & wide

Nor are these the only things of high Concern that I have to recommend to you, the Safety & protection of the harbour & town of New York and of the frontiers, are greatly necessary; Nor is any time so fitt to guard against future Enemies as a time of peace, how long the present peace may continue is uncertain, I therefore earnestly recommend to you to make use of the present time, and to give a sufficient sum for the erecting of a battery at the point of rocks by Whitehall and of New forts at Albany & Schenectady; I have drawn such plans for those purposes as I think will best answer the end, and made an Estimate of the Expence which I will order to be laid before you If these Expences appear large consider the benefitts that you are to receive from them, which are no less than the defence of your Country and protection of your families; and let y^e Managment of the money be put into frugal hands, such as reside constantly in the respective places, and who more proper than the Representatives, or some of the Corporation of the two Cities, and some of the most substantiall Inhabitants of the other Town where there is no Corporation, And let a strict account be required and rendered of the disposall of it and I am perswaded you will think the money well laid out

If any branches of your trade be over laden with Duty I wish some effectuell method w^d be taken to ease them by an Imposition on some other parts better able to bear it or on some thing that may not at all affect trade, for my part I think a duty upon paper to be used in the Law and in all Conveyances & Deeds of every denomination may, if rightly managed, bring a considerable Sum of money yearly to the Treasury and if upon tryall you find it will answer your expectation, you may then ease such branches of Trade as most want it, of So much as that Duty will amount to, I propose it as an Experiment with no other view than for the ease & encouragement of trade, in the prosperity whereof every one of you is concerned; but as it is uncertain what such a Duty will amount unto clear of all Charges You may direct the money arising from it to be paid into the hands of the Treasurer and there lodged 'till by an Act You apply it to some particular uses

I See with Concern that whilst the neighbouring provinces are filled with honest usefull & laborious white people, the truest riches and Surest Strength of a Country; this province seems regardless of the vast advantage which Such acquisitions might bring them and of the disadvantages that attend the too great Importation of Negroes and Convicts. these things are worthy your Consideration and require your Speedy attention, as the greatest good is to be expected from one, and the greatest evill to be apprehended from the other

The six nations of Indians are often in want of Smiths and their Tooles to mend their Arms I recommend it to you to make Provision for that purpose, The french not only do that but constantly Send some men of Art & interest to reside among them furnished with Brandy lead and powder which they give from time to time to the Indians, whereby they ingratiate themselves with them, and alienate their affections from us; It is our Interest to defeat the attempts of the french by the like Acts and to preserve the friendship of the six nations tho' at a greater Expence

If there are any other Laws wanting for the defence of the province, for the advancement of trade, for the Encouragement of Husbandry, or for promoting Manufactures Arts & Sciences among you, You may depend upon my chearfull Concurrence with You, well knowing that I cannot recommend myself to his Majesty the best of Kings, more effectually, than by promoting

the happiness and prosperity of the province, who being full of affection to his people and tender of their civil & religious rights, expects from them the gratefull return of Loyalty and Duty to his person and reverence & Submission to his just prerogative and authority

W^m COSBY

Mr Clarke alleadging that the people called Quakers within this province had for some time past complained of the hardships they lay under in not having the same priviledges and Indulgences allowed them as their Brethren in England have therefore moved that leave be given to bring in a Bill for putting them upon the same footing & to entitle them to the same priviledges benefitts and Indulgences with their Brethren in England

Which motion being Seconded by the Chief Justice and approved of by the Board It is

Ordered, that Mr Harrison and Mr Horsmanden do prepare and bring in a bill accordingly and lay it before this Board for their approbation thereof.

Att a Councill held at ffort George in New York, the 30th day of Aprill, 1734.

PRESENT — His Excie W^m COSBY, Captⁿ Genall and Gov^r in chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr DE LANCEY,

Mr LANE,
Mr HORSMANDEN.

Mr Harrison and Mr Horsmanden pursuant to a Minnitt of this Board of the 25th instant laid before the Board a Bill entitled, An Act for granting to the people called Quakers residing within this province the same priviledges benefitts & Indulgences as by the Laws and Statutes now remaining of fforce in that part of great Brittain called England the people of that Denomination are entitiled unto within those Dominions Which Bill having been ordered to be read

Was accordingly read the first time &

Ordered a second reading

Att a Councill held at ffort George in New York, the ffirst day of May, 1734.

PRESENT — His Excellency W^m COSBY, Captⁿ Genall and Gov^r in chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,

Mr DE LANCEY,
Mr LANE,
Mr HORSMANDEN.

The Bill entitled, An Act for granting to the people called Quakers residing within this province the same priviledges benefitts and Indulgences as by the Laws and Statutes now remaining of fforce in that part of great Brittain called England the people of that Denomination are entitiled unto within those Dominions Was read a second time and Comitted to the Gentlemen of the Councill or any five of them

His Excellency withdrawing The Gentlemen of the Councill resolved into a Committee to consider of the aforegoing Bill

The Committee being agreed on their report by them to be made thereon & his Excellency acquainted therewith

His Excellency returned to the Councill Chamber & took his place

Then Mr Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported from the Committee that they had gone thro' the said Bill without any amendments

Which report on the question being put was agreed to & approved of by the Board

Ordered, that the said Bill be engrosst

*Att a Council held at ffort George in New York, the 2^d May, 1734.*PRESENT — *His Excic W^m COSBY*, Captain Generall and Govern^r in chief, &c.,M^r CLARKE,
M^r HARRISON,
M^r KENNEDY,
M^r DE LANCEY,M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

Ordered, that the ingrost Bill entitled, An Act for granting to the people called Quakers residing within this province the same priviledges benefitts & indulgences as by the Laws and statutes now remaining of force in that part of great Brittain called England the people of that Denomination are entitled unto within those Dominions Be read y^e third time

Then the said Bill was read the third time and past without any amendments

Ordered, that M^r Horsmanden do carry the Bill to the Assembly & desire their Concurrence therewith

*Att a Council held at ffort George in New York, the 31st May, 1734.*PRESENT — *His Excic W^m COSBY*, Captain Genall & Gov^r in chief, &c.,M^r CLARKE,
M^r HARRISON,
D^r COLDEN,
M^r DE LANCEY,M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

A Message from the Assembly by Coll Rensselaer with the Bill entitled, An Act for returning able and Sufficient Jurors in tryalls at Law in this Collony and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

*Att a Council held at ffort George in New York, the 18th day of June, 1734.*PRESENT — *His Excic W^m COSBY*, Captⁿ Genall and Gov^r in chief, &c.,M^r CLARKE,
M^r HARRISON,
Doct COLDEN,
M^r VAN HORNE,M^r DE LANCEY,
M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

The Bill entitled, An Act for returning able and sufficient Jurors in tryalls at Law in this Collony was read a second time and committed to the Gent of the Council or any five of them

A Message from the Assembly by Coll philip Schuyler with the Bill entitled, An Act for fortifying the City of Albany Schanegtade and other places in the County of Albany and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Rensselaer with the Bill entitled, An Act to prevent small Stallions running at large in the Collony of New York and to gueld Such as shall be under the size therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act for Naturalizing Abraham Hinsman, Jⁿ Grondam, Jacob Boss, Fredrick Becker, Johannes Vidderlin, Coenradt Rightnier, Johannes Spaler, Zacharias Haber, peter Craller and Johannes Vanwyck and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act for regulating the Rutts of Waggon in Dutchess County And also with the Bill entitled, An Act for regulating the Choice of a representative for the Mannor of Cortlandt in the County of West Chester and desiring the Concurrence of this Board thereto

Ordered, that the said two Bills be read

Then the said two Bills were read the first time &

Ordered a second reading

A Message from the Assembly by Coll Gaasbeck Chambers with the Bill entitled, An Act for the better explaining and more effectnall putting in Execution the Act of Generall Assembly therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Major Glen with the Bill entitled, An Act for discharging a certain obligation entered into by Corn^s Cuyler of the City of Albany Merchant to the Treasurer of this Collony And desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Councill held at ffort George in New York, the 20th day of June, 1734.

PRESENT— *His Excie W^m COSBY*, Captain Generall & Gov^r in chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r VAN HORNE,

M^r DE LANCEY,

M^r COURTLANDT,

M^r LANE,

M^r HORSMANDEN.

A Message from the Assembly with the Bill entitled, An Act for granting to the people called Quakers residing within this province the same priviledges benefitts & Indulgences as by the Laws and Statutes now remaining of flörce in that part of great Britain called England the people of that Denomination are entitled unto within those Dominions, that that House have made some amendmets and added a Clause to the said Bill

Then the amendmets made to the said Bill with the Clause added thereto were Ordered to be read

Which having been read and the question put

Whether the Board agreed thereto?

The same was agreed to and approved of by the Board and

Ordered, that M^r Horsmanden do acquaint the house of Representatives therewith

The seven following Bills viz^t The Bill entitled, An Act to prevent small stallions running at large in the Collony of New York and to geld such as shall be under the size therein mentioned

The Bill entitled, An Act for Naturalizing Abraham Hinsman, John Grondam, Jacob Boss, Fredrick Becker, Johannes Vidderlin, Coenradt Rightmter, Johannes Spaler, Zacharias Haber, Peter Craller and Johannes Vanwyck

The Bill entitled, An Act for regulating the Rutts of waggons in Dutchess County

The Bill entitled, An Act for regulating the Choice of a representative for the Mannor of Cortlandt in the County of West Chester

The Bill entitled, An Act for the better explaining and more effectuall putting in Execution the Act of Generall Assembly therein mentioned

The Bill entitled, An Act for discharging a certain obligation entered into by Cornelius Cuyler of the City of Albany Merchant to the Treas^r of this Collony And also

The Bill entitled, An Act for fortifying the City of Albany Schenegtade and other places in the County of Albany Were read a second time and committed to the Gentlemen of the Councill or any five of them

His Excellency withdrawing The Board resolved into a Committee to consider of the Bills to them referred

The Board being agreed on their report by them to be made on the first six of the Bills last mentioned and his Excellency acquainted therewith

His Excellency returned to the Councill Chamber and took his place

Then M^r Horsmanden Chairman of the Committee to whom the said Bills were referred in his place reported from the said Committee that the Committee had gone through the said six Bills without any amendmets

Which Report upon the question being put was agreed to and approved of by the Board and

Ordered, That the said six Bills be read the third time

And as to the Bill entitled, An Act for returning able and sufficient Jurors in tryalls at Law in this Collony Mr Horsmanden further reported from the Committee That the Committee had gone through the said Bill with some amendments

Ordered, that the amendments made to the said Bill be read

Then the amendments made to the said Bill were read

And the question being put

Whether the Board agreed thereto?

The same were agreed to and approved of by the Board

Ordered, that the said Bill be read the third time as amended

Att a Councill held at ffort George in New York, the twentyeth day of June, 1734, P. M

PRESENT — His Excie W^m COSBY, Captain Genall and Gov^r in chief,

Mr CLARKE,

Mr HARRISON,

Mr VAN HORNE,

Mr DE LANCEY,

Mr COURTLANDT,

Mr LANE,

Mr HORSMANDEN.

The six following Bills viz^t The Bill entitled, An Act to prevent small stallions running at large in the Collony of New York and to geld such as shall be under the size therein mentioned

The Bill entitled, An Act for Naturalizing Abraham Hinsman, John Grondam & Comp^y

The Bill entitled, An Act for regulating the Rutts of Waggon in Dutchess County

The Bill entitled, An Act for regulating the Choice of a Representative for the Mannor of Courtlandt in the County of West Chester

The Bill entitled, An Act for the better Explaining and more effectually putting in Execution the Act of Generall Assembly therein mentioned And

The Bill entitled, An Act for Discharging a certain obligation entered into by Cornelius Cuyler of the City of Albany Merch^t to the Treasurer of this Collony, were read the third time and past without any amendments

Ordered, that Mr Horsmanden do acquaint the House of Representatives therewith

The Bill entitled, An Act for returning able and sufficient Jurors in Tryalls at Law in this Collony was read the third time as amended and past

Ordered, that Mr Horsmanden do carry the said Bill with the amendments made thereto to the House of Representatives and desire their Concurrence therewth

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act to lay a Duty on Tonnage on the Vessells and for the time therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Councill held at ffort George in New York, the twenty first day of June, 1734.

PRESENT — His Excie W^m COSBY, Captain Genall and Gov^r in chief,

Mr CLARKE,

Dr COLDEN,

Mr VAN HORNE,

Mr DE LANCEY,

Mr COURTLANDT,

Mr LANE,

Mr HORSMANDEN.

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act for returning able and sufficient Jurors in tryalls at Law in this Collony, that that House cannot agree to the amendments made by this Board to the said Bill

Then the question being put

Resolved, that this Board do adhere to their amendm^{ts} made to the said Bill and

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives therewith

The Bill entitled, An Act to lay a Duty of Tonnage on the Vessells and for the time therein mentioned was read a second time and committed to the Gentlemⁿ of the Councill or any five of them

Mr Horsmanden Chairman of the Committee to whom the Bill entitled, An Act for fortifying the City of Albany Schenegtade and other places in the County of Albany was referred, in his

place reported from the Committee that they had gone through the said Bill without any amendments

Which report upon the question being put was agreed to and approved of by the Board and
Ordered, that the said Bill be read the third time

His Excellency withdrawing

The Board resolved into a Committee to consider of the foregoing Bill entitled, An Act to lay a Duty of Tonnage on the Vessells & for the time therein mentioned

The Committee being agreed on their report by them to be made thereon and his Excellency acquainted therewith

His Excellency returned to the Conneill Chamber and took his place

Then Mr Courtlandt Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill without any amendments

Which report upon the question being put was agreed to and approved of by the Board and
Ordered, that the said Bill be read the third time

A Message from the Assembly by Captain Gerritsen with the Bill entitled, An Act for regulating the rates to be taken for Ships & other Vessells using the Wharfs called Burnets Key in the City of New York and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Council held at ffort George in New York, the 21st day of June, 1734. P. M.

PRESENT —

Mr CLARKE,
Doct^r COLDEN,
Mr DE LANCEY,

Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The Bill entitled, An Act for fortifying the City of Albany Schenegtade and other places in the County of Albany was read the third time and past without any amendments and

Ordered, that Mr Horsmanden do acquaint the house of representatives therewith

The Bill entitled, An Act to lay a Duty of Tonnage on the Vessells and for the time therein mentioned was read the third time and past with^t any amendments

Ordered, that Mr Courtlandt do acquaint the house of Representatives therewith

The Bill entitled, An Act for regulating the rates to be taken for Ships & other Vessells using the wharfs called Burnets Key in the City of New York was read a second time & committed to the Gent of the Council or any five of them

Att a Council held at ffort George in New York, the 22^d June, 1734.

PRESENT —

His Excic WILLIAM COSBY, Captain Genall & Gov^r in chief, &c.,

Mr CLARKE,
Mr KENNEDY,
Mr DE LANCEY,

Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

Mr Courtlandt Chairman of the Committee to whom the Bill entitled, An Act for regulating the rates to be taken for Ships & other Vessells using the Wharfs called Burnets Key in the City of New York was referred in his place reported from the Committee that they had gone through the Said Bill without any amendments

Which report upon the question being putt was agreed to and approved of by the Board.

Ordered, that the Said Bill be read the third time

Then the said Bill was read the third time and past without any amendments

Ordered, that Mr Courtlandt do acquaint the house of Representatives therewith.

Ordered, that the Deputy Clerk of the Board do acquaint the house of Representatives that his Excellency requires the immediate attendance of the house at the Council Chamber

The Assembly accordingly attending with their Speaker

His Excellency was pleased to give his assent to the following Bills viz^t

1. An Act for granting to the people called Quakers residing within this Collony the same priviledges benefitts & Indulgences as by the Laws and Statutes now remaining of force in that part of great Brittain called England the people of that Denomination are entitled unto within those Dominions

2. An Act to prevent Small Stallions running at large in the Collony of New York & to gueld Such as Shall be under the Size therein mentioned

3. An Act for Naturalizing Abraham Hinsman, John Groudam, Jacob Boss, ffred^k Becker, Johannes Vidderlin, Coenradt Rightmier, Johannes Spaler, Zacharias Haber, peter Craller and Johannes Van Wyck

4. An Act for regulating the Rutts of Waggons in Dutches Comnty

5. An Act for regulating the Choice of a representative for the Mannor of Courtlandt in the County of West Chester

6. An Act for the better explaining and more effectuall putting in Execution the Act of genrall Assembly therein mentioned

7. An Act for discharging a certain obligation entered into by Cornelius Cuyler of the City of Albany Merchant to the Treasurer of this Collony

8. An Act for fortifying the City of Albany Schenegtade and other places in the County of Albany

9. An Act to lay a Duty of Tonnage on the Vessells and for the time therein mentioned

10. An Act for regulating the rates to be taken for Ships and other Vessells using the Wharfs called Burnets Key in the City of New York

After which his Excellency recommended to the Speaker of the Assembly to adjourn the house untill the flourth tuesday in July next

TWENTIETH ASSEMBLY SEVENTH SESSION.

Att a Councill held at ffort George in New York, the 17th Oct^r, 1734.

PRESENT — His Excie W^m COSBY, Captain Genall and Gov^r in chief, &c.,

Mr CLARKE,
Mr HARRISON,
Doct^r COLDEN,
Mr VAN HORNE,
Mr LIVINGSTON,

Mr KENNEDY,
Mr CHIEF JUSTICE,
Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

A Message from the Assembly by Mr Gerritsen with the Bill entitled, An Act for the further continuing An Act entitled, An Act to lett to flarm the Exeise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the same Dutys as distill'd Liquors And desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered, a second reading

This Board having had Severall of Zengers *New York Weekly Journals* layd before them and other Scurrilous papers tending to alienate the allections of the people of this province from his Majesties Governm^t to raise Sedition and tumults among the people of this province and to fill their minds with a Contempt of his Majesties Government and considering the pernicious Consequences that may attend Such growing evils if not Speedily and effectually put a stop to and considering that the most likely method to put a stop to Such bold and Seditious practices, to maintaine the Dignity of his Maties Governm^t and to preserve the peace thereof wo'd be a Conference between a Committee of this Board and a Committee of the Assembly It is therefore

Ordered that the Gentlemen of this Board now assembled or any Seven of them be a Committee to join a Committee of the House of Representatives in order to conferr together and to examine & inquire into the Said papers & the author and printer thereof And that Mr Courtlandt do acquaint the Assembly that this Board desires they will appoint a Committee of their house to meet the Committee of this Board at the house of Mr Todd this Evening at six a Clock And It is likewise

Ordered that the Secery, Mr Harrison, the Chief Justice and Mr Horsmanden be appointed as Managers for the Cōmee of this Board to lay before the joint Cōmee and to point out to them

the particular Seditious paragraphs in Said Journalls and to lay Such presedents before the Committee as relate to the Subject matter of this Inquirey And

Ordered that M^r Courtlandt lay before the Assembly a copy of this order

The pet^s of Rob^t Lurting James Graham Rich^d Sackett peter Hancoumier and Martha Warman in behalf of themselves and the other proprietors of a tract of Land in Dutches County was presented to this Board and read Setting forth that the pet's being Seized and possessed of a certain Tract of Land in Dutches County aforesaid formerly granted by Letters patent under the great Seal of this province to Samson Broughton Rip Van Dam Thom^s Wenham Roger Mompesson peter Hancoumier & others

That the petitioners having designed to apply to the Genall Assembly of this province for An Act to enable them or the Major part of them living and residing within this province to make Division & partition of the Said Tract & to Sell part thereof in order to defray the Charges of all Such Services as Sho^d be necessary to make a compleat & effectuall partition and Division of the Said tract Had in pursuance to his Mati^cs Instruction in that behalf given affixed up at the most publick places in the Said County Advertisements Notifying their Intentions for the purposes aforesaid

Wherefore the petitioners pray'd they might be admitted to make prooff before his Excellency in Council of their having published Advertisements notifying their Intentions of applying for An Act of the Generall Assembly of this province for the purposes afores^d in conformity to the Instruction in that behalf Given

Whereupon was read an Affid^t made and Sworn to by John Sackett before philip Cortlandt Esq^r one of the Members of this Board that for three Sundays successively and more after the fourteenth day of March last he Saw affixed up at three of the most publick places in the County aforesaid an Advertisement Notifying the pet's Intentions of applying for An Act of Assembly to enable them or the major part of them to make partition and Division of the tract of Land aforesaid and to Sell part thereof in order to defray the necessary Charges of all Such Services

On reading and considering of all which It is the opinion of this Board that the Said Notices or Advertisements are agreeable to the Instruction in that behalf given & 'tis therefore

Ordered that leave be given to the pet's to bring in a Bill to the Assembly accordingly

Att a Council held the 18th Oct^r, 1734.

PRESENT — *His Excie* W^m COSBY, Captain Genall and Gov^r in chief, &c.,

M^r CLARKE,
M^r HARRISON,
D^r COLDEN,
M^r LIVINGSTON,

M^r KENNEDY,
M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

The Bill entitled, An Act for the further continuing An Act entitled, An Act to lett to ffarm the Excise of Strong liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the Same dutys as distill'd liquors Was read a second time and committed to the Gentmⁿ of the Council or any five of them

His Excie withdrawing

The Gentmⁿ of the Council resolved into a Comittee to consider of the foregoing Bill

Att a Council held at Port George in New York, the 24th Oct^r, 1734.

PRESENT — *His Excellency* WILLIAM COSBY, Captain Generall and Governour in Cheif, &c.,

M^r CLARKE,
M^r HARRISON,
D^r COLDEN,
M^r LIVINGSTON,
M^r KENNEDY,

CHIEF JUSTICE,
M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

M^r Horsmanden Chairman of the Committee to whom the Bill Entitled, An Act for the further continuing An Act entitled, An Act to let to ffarm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned & for declaring Shrub Lyable to the same duty as Distilled Liquors reported from the Cōmme that they were ready to make their report thereof

Ordered, that the said report be made Immediately

Then M^r Horsmanden in his place Reported from the Cōmme that they had gone through the said Bill and made an amendment & added a clause thereto

Ordered, that the Amendment made to the said Bill with the clause added thereto be read

Then the Amendment made to the s^d Bill wth the clause added thereto were read &

The Question being put

Whether the Board agreed thereto?

The same were agreed to & approved of by the Board

Ordered, that the said Bill as amended be read the third time

Then the said Bill as amended was read the third time and past

Ordered, that M^r Horsmanden do carry the said Bill with the Amendments made by this Board thereto to the Assembly & desire their concurrence therewith

A Message from the Assembly by M^r Hicks with the Bill Entitled, An Act for the frequent Electing & calling of y^e Gen^l Assembly of this Colony and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the s^d Bill was read the 1st time &

Ordered a second reading

A Message from y^e Assembly by Cap^t V Horne with the Bill entitled, An Act to lay a duty on Empty Casks Imported in the City of New York during the time therein mentioned & desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Councill held at ffort George in New York, the 25th Oct^r, 1734.

PRESENT — His Excie W^m COSBY Captⁿ Generall and Gov^r in Chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r LIVINGSTON,

M^r KENNEDY,

CHIEF JUSTICE,

M^r COURTLAND,

M^r LANE,

M^r HORSMANDEN.

The Bill entitled, An Act for the frequent electing and calling of the Generall Assembly of this Collony was read a second time and Committed to the Gentlemⁿ of the Councill or any five of them

The Bill entitled, An Act to lay a dnty on Empty Casks imported in the City of New York during the time therein mentioned was read a second time and Committed to the Gentlemⁿ of the Councill or any five of them

The Chief Justice moved for leave to bring in a Bill for the partition & division of a certain tract of Land in Dutches County granted to Samson Broughton, Rip Van Dam, Thomas Wenham Roger Mompesson, Peter flaucomnier, Augustine Graham, Richard Sackett and Robert Lurting

Ordered, that the Chief Justice have leave to present in a Bill accordingly

Then the Chief Justice presented to the Board a Bill for the purposes afores^d

Ordered, that the Said Bill be read

Then the Said Bill entitled, An Act for the partition & division of a certain tract of Land in Dutchess County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter flaucomnier, Augustine Graham, Richard Sackett and Robert Lurting Was read the first time &

Ordered a Second reading

A Message from the Assembly by M^r Gerritse wth the Bill entitled, An Act for the further Continuing An Act entitled, An Act to let to flamm the Excise of Strong Liquors retailed in this Collony for the time therein ment^d and for declaring Shrub lyeable to the Same Dutys as Distilled Liquors That that House agree to the Amendments made by this Board to the Said Bill

Att a Councill held at ffort George in New York, the 26th Oct^r, 1734.

PRESENT — His Excie W^m COSBY, Captⁿ Gen^lall and Gov^r in Chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r LIVINGSTON,

M^r KENNEDY,

CHIEF JUSTICE,

M^r COURTLANDT,

M^r LANE,

M^r HORSMANDEN.

M^r Lane Chairman of the Committee to whom the Bill entitled, An Act for the frequent electing and calling of the Generall Assembly of this Collony and also the Bill entitled, An Act

to lay a Duty on Empty Casks imported in the City of New York during the time therein mentioned were referred, in his place reported from the Cōmtee that they were ready to make their report thereon when this Board w^od please to receive the Same

Ordered, that the Said report be made Immediately

Then M^r Lane in his place reported that as to the Bill entitled, An Act for the frequent electing and calling of the Generall Assembly of this Collony they had made Some Amendments & added a clause thereto

Ordered, that the Amendments with the Clause added thereto be read

Then the Amendments made to the Said Bill with the Clause added thereto were read and

The question being put

Whether the Board agreed thereto?

The Same were agreed to and approved of by the Board

Ordered, that the Said Bill be read the third time as Amended

Then the Said Bill was read the third time as Amended and past

Ordered, that M^r Lane do carry the Said Bill with the Amendments made by this Board thereto to the Assembly and desire their Concurrence therewith

And as to the Bill entitled, An Act to lay a duty on Empty Casks imported in the City of New York during the time therein mentioned M^r Lane further reported from the Committee that they had gone through the Said Bill without any Amendments

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that M^r Lane do acquaint the House of Representatives therewith

The Bill entitled, An Act for the partition and Division of a certain tract of Land in Dutches County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter flaucommier, Augustine Graham, Richard Sacckett and Robert Lurting was read a Second time and committed to the Gentinⁿ of the Councill or any five of them

Att a Councill held at ffort George in New York, y^e 29th Oct, 1734.

PRESENT — His Exciē W^m COSBY, Captⁿ Gen^lall and Gov^r in Chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r VAN HORNE,

M^r LIVINGSTON,

M^r KENNEDY,

CHIEF JUSTICE,

M^r COURTLANDT,

M^r LANE,

M^r HORSMANDEN.

M^r Harrison Chairman of the Cōmittee (to whom the Bill entitled, An Act for the partition and Division of a certain tract of Land in Dutchess County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter flaucommier Augustine Graham, Richard Sacckett and Robert Lurting) was referred reported from the Cōmittee that they were ready to make their report thereon when this Board w^od please to receive the same

Ordered, That the said report be made Immediately

Then M^r Harrison in his place reported that the Committee had gone through the said Bill without any amendments

Ordered, that the said Bill be ingrostr

*Att a Councill held at ffort George in New York, the 29th October, 1734.
Post Meridiem.*

PRESENT — His Excellency W^m COSBY, Captain Generall & Gov^r in Chief, &c.,

M^r CLARKE,

M^r HARRISON,

M^r KENNEDY,

CHIEF JUSTICE,

M^r LANE,

M^r HORSMANDEN.

The ingrostr Bill entitled, An Act for the partition and Division of a certain Tract of Land in Dutchess County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter flaucommier, Augustine Graham, Richard Sacckett and Robert Lurting was read the third time and past

Ordered, that the Chief Justice do carry the said Bill to the House of Representatives and desire their concurrence therewith

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act for the Speedy punishing and releasing such persons from Imprisonm^t as shall committ any criminall offences

under the degree of felony in the Severall Countys therein mentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Council held at Fort George in New York, the 1st Nov^r, 1734.

PRESENT — *His Excie W^m COSBY*, Captain Generall and Gov^r in Chief, &c.,

M^r CLARKE,
M^r HARRISON,
M^r KENNEDY,

M^r LANE,
M^r HORSMANDEN.

The Bill entitled, An Act for the speedy punishing and releasing such Persons from Imprisonment as shall committ any criminall offences under the degree of felony in the severall Countys therein mentioned was read a second time and Comitted to the Gentmⁿ of the Council or any five of them

A Message from the Assembly by Major Glen with the Bill entitled, An Act for raising the sum of fifty pounds in the Township of Schenectady for making their old Church defensible & other fortifications in the said Town and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Major Glen with the Bill entitled, An Act for the more equally repairing the road from Towerjoine to Koghnewage Creek in the County of Albany and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Att a Council held at ffort George in New York, the 1st Nov^r, 1734. P.M.

PRESENT — *His Excie W^m COSBY*, Captain Gen^lall and Gov^r in Chief, &c.,

M^r CLARKE,
M^r HARRISON,
M^r LIVINGSTON,
M^r KENNEDY,

M^r CORTLANDT,
M^r LANE,
M^r HORSMANDEN.

M^r Livingston Chairman of the Cōmittee to whom the Bill entitled, An Act for the speedy punishing and releasing such persons from imprisonment as shall cōmitt any criminall offences under the degree of felony in the sev^lall countys therein mentioned reported from the Cōmittee that they were ready to make their report thereof when this Board would please to receive the same

Ordered, that the said report be made immediately

Then M^r Livingston in his place reported that they had gone through the said Bill without any Amendments

Then the question was put

Whether the Bill sho^d be read the third time ?

Past in the negative

And the question being put

Whether the Bill sho^d be rejected ?

It was carried in the affirmative

The Bill entitled, An Act for raising the sum of fifty pounds in the Township of Schenectady for making their old Church defensible and other flfortifications in the said Town Was read a second time and cōmitted to the Gentmⁿ of the Council or any five of them

The Bill entitled, An Act for the more equally repairing of the road from Towerjoine to Koghnewage Creek in the County of Albany was read a second time & cōmitted to the Gentmⁿ of the Council or any five of them

Ordered, that M^r Livingston do go to the House of Representatives and desire them to return by him to this Board the sev^lall seditious Journalls of Zengers numbered 7. 47. 48. 19. and two printed Ballads which were delivered by a Committee of this Board to a Committee of the Assembly on the 17th Oct^r last at the house of M^r Tod together with the proposalls of the Cōmee of this Board to the Cōmee of that House

Att a Council held at ffort George in New York, the 2^d Nov^r, 1734.

PRESENT — His Exciē W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr LIVINGSTON,
Mr KENNEDY,

CHIEF JUSTICE,
Mr CORTLANDT,
Mr LANE,
Mr HORSMANDEN.

Mr Livingston According to Order of yesterdays date brought from y^e Assembly the sev^lall papers by that order directed to be brought to this Board

In Pursuance to an order of this Board of the 17th Oct^r last a Cōmittee of this Board having met a Cōmittee of the House of Representatives in order to make inquiry into the Authors of Zengers New York *Weekly Journalls* tending to raise Sedition and faction Among the people of this Province to bring his M^{ties} Government into Contempt and to disturb the peace thereof At which meeting the Committee of this Board gave in Writing to the Cōmee of that House Some proposalls which they thought wo^d be most effectnall to put a stop to Such growing evils and preserve the peace and dignity of his M^{ties} Government with which proposalls the Cōmittee of this Board desired the Concurrence of the Committee of that House but this Board finding by a Journall of the votes of that House that the matters proposed to their Cōmittee were ordered to lye on the table and conceiving it highly necessary to give a Check to such virulent and seditious libells as are dispersed throughout Zengers *Journalls* to maintaine the Dignity of his M^{ties} Government and to preserve the peace thereof they therefore resolved into a Committee to consider of the Same On Which his Excellency withdrew

The Cōmee having duely weighed and considered the same and finding that the whole tenour of most (if not all) of those papers now under their Consideration and particularly those Journalls entitled *The NEW YORK WEEKLY JOURNALL* Containing the *freshest advices forreign and domestick* printed by said Zenger and Number'd 7. 47. 48. 49 have a direct tendency to raise Sedition & tumults among the people of this province, to enflame their minds with a Contempt of his M^{ties} rightfull Government and Just prerogative & to disturb the peace thereof and containing in them likewise not only reflections upon his Exciē the Govern^r in particular the Legislature in Generall but also upon the most considerable persons in the most distinguisht stations in this province It is therefore unanimously

Resolved, by this Committee that those Journalls of Zengers as above mentioned be burnt by the hands of the Cōmon hangman or whipper near the pillory in this City on Wednesday the 6th instant between the hours of Eleven and twelve in the forenoon that the Sherriff be ordered to See it effectually done and that the Mayor & other Magistrates of this City do Attend at the burning thereof

That his Exciē be requested to issue his proclamation with a reward of £50 for the discovery of the Author or Authors of Said Journalls

That Zenger the printer thereof be by Order of this Board taken into Custody by the Sherriff and Comitted to prison

That An Order of this Board be Sent to the Magistrates of the respective Countys within this province diligently to exert themselves in the execution of their respective offices in order to preserve the publick peace

And on the Chief Justice withdrawing It is further

Resolved, by the Cōmittee that an order of the Board be sent to the Attorney Gen^lall to prosecute the printer and Author or Authors thereof when discovered.

His Excellency returning to the Council Chamber the above resolutions were read and reported at the Board by Mr Clarke Chairman of the Cōmee and

On the quēon being put

The same were unanimously agreed to and approved of by the Board and in pursuance thereto It is

Ordered, as follows viz^t 1st That the said Journalls numbred as aforesaid be burnt by the hands of the Cōmon hangman or whipper at the time and place above mentioned, that the Sherriff See it effectually done & that the Mayor and Magistrates attend at the doing thereof

2^d That a Proclamation issue with a reward of £50 for y^e discovery of y^e Author or Authors

3^d That Zenger be by order of this Board taken into Custody by the Sherriff and be by him Cōmitted to prison

4th That an order of this Board be sent to the Magistrates of the respective Countys within this province to be active in their respective offices to preserve the publick peace

5th That an Order be Sent to the Attorney Gen^lall to prosecute the printer and Author or Authors when discovered. It is also further

Ordered, that the Attorney Generall be directed to inspect and examine Zengers *New York Weekly Journalls* from the first Number to the last and lay before this Board such of them and the particular places or paragraphs in each of them as tend to raise Sedition factions or tumults among the people, to bring his M^{ties} Government into Contempt or to disturb the peace thereof or that reflect upon any persons in the administration of the Govern^t

Att a Council held at ffort George in New York, the 4th Nov^r, 1734.

PRESENT— His Exci^e W^m COSBY, Captain Gen^l and Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr LIVINGSTON,
CHIEF JUSTICE,

Mr CORTLANDT,
Mr LANE,
Mr HORSMANDEN.

Mr Horsmanden Chairman of the Cōmittee to whom was referred the two following Bills viz^t The Bill entitled, An Act for raising the sum of fifty pounds in the Township of Schenectade for making their old church defensible & other fortifications in the said Town and also the Bill entitled, An Act for the more equally repairing of the road from Towerjoine to Koghnewage Creek in the County of Albany In his place reported from the Cōmee that they were ready to make their report thereon when this Board w^od please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Horsmanden reported that the Committee had gone through the said two Bills without any Amendments w^{ch} report was agreed to and approved of by y^e Board

Order^d, that the said two Bills be read the third time

Then the said two Bills were read the third time and past without any amendment

Ordered, that Mr Horsmanden do Acquaint the House of Representatives therewth

A Message from the Assembly by Coll Renselaer with the Bill entitled, An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been revived and continued and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

Att a Council held at ffort George in New York, the 6th Nov^r, 1734.

PRESENT— His Exci^e W^m COSBY, Captain Gen^l and Gov^r in Chief, &c.,

Mr CLARKE,
Mr LIVINGSTON,
Mr KENNEDY,

CHIEF JUSTICE,
Mr LANE,
Mr HORSMANDEN.

A Message from the Assembly by Mr Gerritse with the Bill entitled, An Act for the frequent electing and calling of the Generall Assembly of this Collony that that House do not agree to the amendments made by this Board to the said Bill

Then the question being put

Whether this Board w^od adhere to their amendments made to the said Bill?

Resolved, that this Board do adhere to their amendments made to the said Bill and

Ordered, that Mr Lane do acquaint the House of Representatives therewith

A Message from the Assembly by Coll Myndert Schuyler with the Bill entitled, An Act for discharging two certain obligations entered into respectively by Jeremiah Schuyler and Jōhes Cuyler Jun^r to the Treasurer of this Collony and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

The Bill entitled, An Act for the further continuance of An Act entitled, An Act for settling and regulating the Militia in this province & making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the sev^ll Acts whereby the same has been revived and continued, was read a second time and Committed to the Gentmⁿ of the Council or any five of them

His Exci^e withdrawing

The Gentmⁿ of the Council resolved into a Committee to consider of the Bill aforesaid to them referred

The Cōmee being agreed on their report by them to be made thereon and his Exci^e acquainted therewith

His Exci^e returned to the Council Chamber and took his place

Then the Chief Justice Chairman of the Cōmee to whom the said Bill was referred in his place reported from the Cōmee that they were ready to make their report thereon when this Board w^od please to receive the same

Ordered, that the said report be made Immediately
 Then the Chief Justice as to the Bill aforesaid to them referred reported that the Committee had gone through the said Bill without any amendments
 Which Report on the question being put was agreed to and approved of by the Board
Ordered, that the said Bill be read the third time

Att a Councill held at ffort George in New York, the 7th Nov^r, 1734.

PRESENT— His Excie W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr CLARKE,
 Mr HARRISON,
 Mr KENNEDY,
 CHIEF JUSTICE,

Mr CORTLANDT,
 Mr LANE,
 Mr HORSMANDEN.

The Bill entitled, An Act for the further continuance An Act entitled, An Act for settling and regulating the Militia in this province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been reviv'd and continued was read the third time and past without any amendments

Ordered, that the Chief Justice do acquaint the House therewith

The Bill entitled, An Act for discharging two certain obligations entered into respectively by Jeremiah Schuyler and Johes Cuyler Jun^r to the Treasurer of this Collony was read a second time and Comitted to the Gentmⁿ of the Councill or any five of them

A Message from the Assembly by Coll Myndert Schuyler with the Bill entitled, An Act for building a Wharf in the City of Albany where it fronts Hudsons river and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

A Message from the Assembly by M^r Verplank with the Bill entitled, An Act to prevent desertion from his Majesties forces in the Collony of New York and desiring the concurrence of this Board thereto

Ordered, That the said Bill be read

Then the said Bill was Read the first time &

Ordered a second reading

A Message from the Assembly by Cap^t Van Horne with the Bill entitled, An Act for the better establishing the Night Watches in the City of New York and for the more equall defraying the expence thereof for the ease of the poor Inhabitants and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

Att a Councill held at ffort George in New York, the 8th Nov^r, 1734.

PRESENT— His Excie W^m COSBY, Captain Gen^lall & Gov^r in Chief, &c.,

Mr CLARKE,
 Mr HARRISON,
 Mr KENNEDY,

CHIEF JUSTICE,
 Mr HORSMANDEN.

The Bill entitled, An Act for building a Wharf in the City of Albany where it fronts Hudsons river was read a second time & comitted to the Gent of the Councill or any five of them

The Bill entitled, An Act for the better establishing the night Watches in the City of New York and for the more equall defraying the expence thereof for the ease of the poor Inhabitants was read a second time & Comitted to the Gentmⁿ of the Councill or any five of them

The Bill entitled, An Act to prevent desertion from his M^{ties} fforces in the Collony of New York was read a second time & Comitted to the Gentmⁿ of the Councill or any five of them

His Excie withdrawing

The Board resolved into a Committee to consider of the two last mentioned Bills to them referred

The Comtee being agreed on their report by them to be made thereon and his Excie acquainted therewith

His Exciē returned to the Councill Chamber & took his place

Then Mr Harrison Chairman of the Cōmee to whom the said two Bills were referred reported that the Cōmee were ready to make their report thereon when this Board wo'd please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Harrison in his place Reported that as to the Bill for the better establishing Night Watches &c the Cōmee had made an amendment thereto

Ordered, that the Amendment made to the Said Bill be read

Then the Amendment made to the Said Bill was read and

The quēon being put

Whether the Board agreed thereto?

The Same was agreed to and approved of by the Board.

Ordered, that the Said Bill be read the third time As Amended

And as to the Bill to prevent desertion from his Māties forces the Said Mr Harrison further reported that the Cōmee had gone through the Said Bill with Any Amendm^{ts} w^{ch} Report Was agreed to and approved of by the Board and

Ordered, that the Said Bill be read the third time

Att a Councill held at ffort George in New York, the 11th Nov^r, 1734.

PRESENT — His Exciē W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,

Mr CORTLANDT,
Mr HORSMANDEN.

The Bill entitled, An Act for the better establishing the Night Watches in the City of New York and for the more equall defraying the Expence thereof for the ease of the poor Inhabitants was read the third time As Amended and past &

Ordered, that Mr Harrison do Carry the Said Bill with the Amendment made by this Board thereto to the House of Representatives and desire their Concurrence therewith

The Bill entitled, An Act to prevent desertion from his Majesty's forces in the Collony of New York was read the third time and past without any Amendments

Ordered, that Mr Harrison do Acquaint the House of Representatives therewith

Att a Councill held at ffort George in New York, the 13th Nov^r, 1734.

PRESENT — His Exciē W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,

CHIEF JUSTICE,
Mr LANE,
Mr HORSMANDEN.

Ordered, that the Deputy Clerk of the Councill do Acquaint the House of Representatives that his Excellency requires their Immediate Attendance at the Councill Chamber

The Assembly Accordingly Attending with their Speaker his Exciē gave his Assent to the Six following Bills viz^t

1 An Act for the further continuing An Act entitled, An Act to Let to farm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the Same dutys as distill'd Liquors

2. An Act to lay a Duty on Empty Casks imported in the City of New York during the time therein mentioned

3. An Act for raising the Sum of fifty pounds in the Township of Schonegtade for making their old Church defensible and other fortifications in the Said Town

4 An Act for the more equally repairing of the road from Towerjoine to Koglnewage Creek in the County of Albany

5 An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the Same usefull for the Security and defence thereof and for repealing all other Acts relating to the Same As likewise the severall Acts whereby the Same has been reviv'd and continued

6. An Act to prevent desertion from his Māties forces in the Collony of New York

And afterwards his Excellency attended with the usual Solemnity went to the City Hall and there caused the Severall Acts aforesaid to be published

Att a Councill held at ffort George in New York, the 15th Nov^r, 1734.

PRESENT — His Exciē W^m COSBY, Captain Generall and Govern^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,
CHIEF JUSTICE,

Mr COITLANDT,
Mr LANE,
Mr HORSMANDEN.

A Message from the Assembly by Mr Lott with the Bill entitled, An Act to ascertain the heighth of flences & to regulate horses in Kings County and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the Bill was read the first time &

Ordered a second reading

A Message from the Assembly by Coll Phil Schuyler with the Bill entitled, An Act to lay a Duty on the goods and a Tax on the Negroes therein mentioned during the time and for the uses mentioned in the same & desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a Second reading

Mr Horsmanden Chairman of the Committee to whom were referred the two following Bills viz^t. The Bill entitled, An Act for discharging two certain obligations enter'd into respectively by Jeremiah Schuyler and Johannes Cuyler Jun^r to the Treasurer of this Collony And also the Bill entitled, An Act for building a wharf in the City of Albany where it fronts Hudsons river reported from the Cōmee that the Cōmee having duly weighed and considered of the same were ready to make their report thereon when this Board wo'd please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Horsmanden in his place reported that the Committee had gone through the said two Bills without any amendments which report

On the question being put

Was agreed to and approved of by the Board and

Ordered, that the said two Bills be read the third time

A Message from the Assembly by Captain Rutgers with the Bill entitled, An Act for the better establishing the night Watches in the City of New York and for the more equal deffraying the Expence thereof for the ease of the poor Inhabitants & with the amendment made by this Board to y^e said Bill that that House cannot agree to any Amendment to a Money Bill

Then the Question being put

Whether this Board wo'd adhere to their amendments made to the said Bill

Resolved, that this Board do adhere to their amendments made to the said Bill and

Ordered, that Mr Harrison do recarry the said Bill with the amendment made by this Board thereto to the House of Representatives & acquaint them that this Board do adhere to their amendment made to the said Bill

Ordered, that Mr Lane do recarry to the House of Representatives the Bill entitled, An Act for the frequent electing and calling of the Generall Assembly of this Collony for their concurrence with the Amendments to them allready sent which were made by this Board to the said Bill

Att a Councill held at ffort George in New York, the 15th Nov^r, 1734. P. M.

PRESENT — His Exciē W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr CLARKE,
Mr HARRISON,
Mr KENNEDY,

Mr LANE,
Mr HORSMANDEN.

The Bill entitled, An Act to Ascertain the heighth of flences and to regulate horses in Kings County was read a second time & Comitted to the Gentmⁿ of the Councill or any five of them

The Bill entitled, An Act to lay a Duty on the Goods and a tax on the Negroes therein mentioned during the time and for the uses mentioned in the same was read a second time and Committed to the Gentlemen of the Councill or any five of them

Att a Council held at ffort George in New York, the 20th of Nov^r, 1734.

PRESENT— His Excie W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

Mr HARRISON,
Mr KENNEDY,
CHIEF JUSTICE,

Mr CORTLANDT,
Mr LANE,
Mr HORSMANDEN.

A Message from the Assembly by Coll Phillipse with the Bill entitled, An Act to prolong the Duty of Tonnage layd by An Act entitled, An Act to lay a Duty of Tonnage on the Vessells & for the time therein mentioned and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered, a second reading

Mr Horsmanden Chairman of the Cōmee to whom was referred the two following Bills viz^t An Act to lay a Duty on the goods and a tax on the Negroes therein mentioned during the time and for the uses mentioned in the same And also the Bill entitled, An Act to ascertain the heighth of flences & to regulate horses in Kings County reported that the Cōmee were ready to make their report thereon when this Board w^d please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Horsmanden in his place reported that the said Cōmee had gone through the said two Bills without any Amendment w^{ch} report was agreed to and approved of by the Board And

Ordered, that the Bill entitled, An Act to ascertain the heighth of flences and to regulate horses in Kings County be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, That Mr Horsmanden do Acquaint the House of Representatives therewith

Att a Council held at ffort George in New York, the 25th Nov^r, 1734.

PRESENT— His Excie W^m COSBY, Captain Gen^lall & Gov^r in Chief, &c.,

Mr HARRISON,
Mr KENNEDY,
CHIEF JUSTICE,

Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The Bill entitled, An Act to prolong the Duty of Tonnage layd by An Act entitled, An Act to lay a Duty of Tonnage on the vessells and for the time therein mentioned was read a second time and Committed to the Gentmⁿ of the Council or any five of them

His Excellency withdrawing the Gentmⁿ of the Council resolved into a Committee to consider of the aforegoing Bill to them referred

The Cōmee being agreed on their report by them to be made thereon and his Exciē acquainted therewith

His Excie returned to the Council Chamber and took his place

Then Mr Cortlandt Chairman of the Cōmee to whom the Said Bill was referred in his place reported that the Cōmee had gone through the Said Bill with^t any Amendments which report was agreed to and approved of by the Board and

Ordered, that the Said Bill be read the third time

A Message from the Assembly by Coll Myndert Schuyler with the Bill entitled, An Act to appoint & empower Cōmissioners for erecting ffortifications in this Collony at the Severall places therein mentioned & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time &

Ordered a Second reading

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act to Strike & make Current Bills of Creditt to the value of £12,000, on the fouds and for the uses therein mentioned & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the 1st time &

Ordered a Second reading

Post Meridiem.

PRESENT as before

The two following Bills viz^t the Bill entitled, An Act for the building a Wharf in the City of Albany where it fronts Hudsons river And Also the Bill entitled, An Act for discharging

two Certain obligations entered into respectively by Jeremiah Schuyler and Johannes Cuyler Jun^r to the Treasurer of this Collony were read the third time and past without Any Amendments

Ordered, that M^r Horsmanden do Acquaint the House of Representatives therewith

The Bill entitled, An Act to prolong the Duty of Tonnage layd by An Act entitled, An Act to lay a Duty of Tonnage on the Vessells and for the time therein mentioned was read the third time and past without any Amendments

Ordered, that M^r Cortlandt do Acquaint the House of Representatives therewith

A Message from the Assembly by Major Glen with the Bill entitled, An Act for the partition and Division of a Certain tract of Land in Dutchess County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter Haueonnier, Augustine Graham, Richard Sackett & Robert Lurting, that that House had made an Amendment to the Said Bill with which they desired the Concurrence of this Board

Ordered, that the amendment made to the said Bill be read

Then the amendment made to the said Bill was read and

The Question being put

Whether the Board agree thereto?

The same was agreed to and approved of by the Board and

Ordered, that the Chief Justice do acquaint the House of Representatives therewith

Att a Council held at ffort George in New York, the 26th Nov^r, 1734.

PRESENT — His Excie W^m COSBY, Captain Gen^lall and Gov^r in Chief, &c.,

M^r HARRISON,
M^r KENNEDY,
CHIEF JUSTICE,

M^r CORTLANDT,
M^r LANE,
M^r HORSMANDEN.

The Bill entitled, An Act to appoint & empower Cōmissioners for erecting ffortifications in this Collony at the Severall places therein mentioned was read a Second time & cōmitted to the Gentmⁿ of the Council or any five of them

The Bill entitled, An Act to Strike and make Current Bills of Credit to the vallue of twelve thousand pounds on the fflonds and for the uses therein mentioned was read a Second time & committed to the Gentmⁿ of the Council or any five of them

Att a Council held at ffort George in New York, the 27th Nov^r, 1734.

PRESENT — His Eccie W^m COSBY, Captⁿ Gen^lall & Gov^r in Chief, &c.,

M^r HARRISON,
M^r KENNEDY,
CHIEF JUSTICE,

M^r CORTLANDT,
M^r LANE,
M^r HORSMANDEN.

M^r Horsmanden Chairman of the Cōmee to whom was referred the two following Bills viz^t the Bill entitled, An Act to appoint & empower Commissioners for erecting ffortifications in this Collony at the Severall places therein mentioned and also the Bill entitled, An Act to Strike and make current Bills of Credit to the vallue of 12,000lb on the fonds and for the uses therein mentioned reported from the Cōmee that they were ready to make their report thereon when this Board wo^d please to receive the same

Ordered, That the said Report be made Immediately

Then M^r Horsmanden in his place reported that the said Cōmee had gone through the said two Bills with some amendments

Ordered, that the amendments made to the said two Bills be read

Then the amendments made to the said two Bills were read &

The Question being put

Whether the Board agreed thereto?

The same were agreed to and approved of by the Board

Ordered, that the said two Bills be read the third time as amended

Then the said two Bills were read the third time as amended and past

Ordered, that M^r Horsmanden do carry the said two Bills with the Amendm^{ts} made by this Board thereto to the House of Representatives and desire their concurrence therewith

Ordered, that the Bill entitled, An Act to lay a Duty on the goods and a tax on the Negroes therein mentioned during the time and for the uses mentioned in the same, be read the third time

Then the said Bill was read the third time and past without any Amendments

Ordered, that Mr Horsmanden do acquaint the House of Representatives therewith

Ordered, that the Hon^{ble} James De Lancey Esq^r Chief Justice of this province do lay before the Hon^{ble} House of Representatives a copy of the 17th Article of his Maties Instructions to his Exciē the Gov^r and do acquaint the house that they have appointed a Cōmee of three members of their body to meet a Cōmee of the House in order to consider of a joint Address to his Exciē desiring his favour and consent in passing the Bill entitled, An Act to strike and make current Bills of Credit to the value of twelve thousand pounds on the ffonds and for the uses therein mentioned it appearing to this Board by said Instruction which his Excellency has been pleased to cōmunicate to them that the Bill above mentioned is contrary to said Instruction and that they cannot advise his Excellency to pass the same unless the immediate use and necessity thereof be sett forth and show'd to his Excellency in a more particular and express manner

Wherefore this Board desires that the Hon^{ble} House wo'd please to appoint a Cōmee of their House to meet a Cōmee of this Board at ffive of the clock this evening at the house of Mr Robert Todd of this City Vintner

Att a Councill held at ffort George in New York, the 28th Nov^r, 1734.

PRESENT —

His Excie W^m COSBY, Captⁿ Gen^lall & Gov^r in Chief, &c.,

Mr HARRISON,
Mr KENNEDY,
CHIEF JUSTICE,

Mr CORTLANDT,
Mr LANE,
Mr HORSMANDEN.

A Message from the Assembly by Mr Gerritse with the Bill entitled, An Act to appoint & empower Commissioners for erecting ffortifications in this Collony at the severall places therein mentioned, that that House do agree to the amendments made by this Board to the said Bill

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act to strike and make current Bills of Credit to the value of twelve thousand pounds on the ffonds and for the uses therein mentioned, that that House do not agree to the amendments made by this Board to the said Bill

Whereupon the question was put

Whether this Board wo'd adhere to their amendment?

Resolved, that this Board do recede from their amendm^t made to the said Bill &

Ordered, that Mr Horsmanden do acquaint the House of Representatives therewith

Ordered, that the Deputy Clerk of this Board do acquaint the House of Representatives that His Excellency requires their immediate attendance at the Councill Chamber in order to their being present at his Excellency giving his Assent to the Acts of Assembly past this Session

The Assembly accordingly attending with their Speaker The Speaker delivered to James De Lancey Esq^r Chief Justice An Address of the members of this Board and of their House to his Excellency

Which the Chief Justice having in presence of the Councill and Assembly read and presented to his Excellency It is

Ordered, that the Same be entered in the minnits of this Board and is in the Words following viz^t

To his Excellency W^m COSBY Captain Generall & Govern^r in Chief of the provinces of *New York, New Jersey* and Territoryes thereon depending in *America* Vice Admirall of the Same and Collonell in his Maties Army &c

The Humble ADDRESS of his Maties Councill and the Gen^lall Assembly for the province of *New York*

May it please y^r Excie

The Experience we have had of your Exciēs regard for this Collony throughout the whole buisyness of this Sessions, during which you have been pleased to recommend to us Such things only as are absolutely necessary for our Immediate Safety and defence and our future welfare and prosperity without proposing to yourself any other Interest therein, than that pleasure which your Excellency receives in promoting the publick good; We have great reason to hope that the Same generous motives will induce your Excellency to favour us yet farther, We therefore beg leave to request your Excellency, that by your Assent to the Bill entitled, An Act to Strike & make Current Bills of Credit to the value of twelve thousand pounds on the ffonds and for the uses therein mentioned, you wo'd be pleased to put the last hand to the erecting those ffortifications, which we hope to See rise under your Direction and which will remain to our posterity as monuments of your Exciēs Care for the Safety and Security of this Collony, over which it hath pleased his Mātie to appoint you Captain Generall and Governour

And Since Severall good ffonds are granted and applyed for the Sinking of the Said Bills We are well assured they will keep up their reputation and Creditt

S^r The present warr in Europe, the Diligence of the ffrench our neighbours, the decay'd fforts and defenceless State of our principall trading City and ffrontiers, Compell us to beseech your Exciē to pass this Bill And we flatter ourselves that when his Matie shall be graciously pleased to Consider the naked and defenceless Condition of this Collony, he will be Convinced of the Loyalty and Zeal of his Subjects to put it in a posture of Defence by the only method in their power We are

S^r

Y^r Exciēs most

obedient humble Servants

Signed by the Gentm^a of the Councill & by

The Speaker of the Assembly by order of that House

To which Address his Excellency was pleased to give the following answer viz^t

Gentm^a of the Councill and House of Representatives

I thank you for the Justice you do me in this Address and notwithstanding the passing this Bill be ag^t his M^ties 17th Instruction yet my own Inclination to promote and advance the Safety and prosperity of this Collony and the Consideration of its naked and defenceless Condition will induce me to give my assent to this Bill and I hope upon a full representation of the whole matter, His most Sacred Majesty will be graciously pleased to approve of the only method in your power to put this province in a posture of Defence

Then His Excellency was pleased to give his Assent to the 8 foll Bills viz^t

7. An Act to Ascertain the height of ffences and to regulate horses in K^s County
8. An Act for building a wharf in the City of Albany where it ffronts Hudsons river
9. An Act for discharging two certain obligations entered into respectively by Jeremiah Schuyler & Johēs Cuyler Jun^r to the Treasurer of this Collony
10. An Act to prolong the Duty of Tonnage layd by An Act entitled, An Act to lay a Duty of Tonnage on the vessells and for the time therein mentioned
11. An Act for the partition and Division of a certain tract of Land in Dutchess County granted to Samson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter ffauconnier, Augustine Graham, Richard Sacckett and Robert Lurting
12. An Act to lay a Duty on the goods and a tax on the Slaves therein mentioned during the time and for the uses mentioned in the same
13. An Act to Strike and make current Bills of Creditt to the value of twelve thousand pounds on the ffonds and for the uses therein mentioned
14. An Act to appoint & empower Commissioners for erecting ffortifications in this Collony at the sev^{al}l places therein mentioned

And afterwards his Excellency attended with the usuall Solemnity went to the City Hall & there caused the sev^{al}l Acts aforesaid to be published

His Excellency attended as aforesaid returned to the Councill Chamber and then recommended to the Speaker of the Assembly to Adjourn their House to the ffirst Tuesday in the month of April next

N. Y. Col. MSS., LXX., 129.1

BY HIS EXCELLENCY

WILLIAM COSBY Captain General and Govern^r in Chief of the Provinces of New York
(L. S.) New Jersey and the Territories thereon Depending in *America*, Vice Admirall of the same & Collonel in his Majesties Army &c

A PROCLAMATION

WHEREAS the General Assembly of the Province of New York stands adjourned until to morrow being the Second Tuesday in May I have thought fit for his Majesties Service by vertue

of y^e powers and Authorities unto me granted by his Majesties Letters patent under the Great Seal of *Great Britain* further to adjourn the said Generall Assembly until the *Second Tuesday* in *July* next And the said General Assembly is hereby accordingly adjourned until the *Second Tuesday* in *July* next Of which all his Majesties Subjects and others concerned, are to take Notice and Govern themselves accordingly

Given under my hand and Seal at Fort George in *New York* on Monday being the
12th day of *May* in the Eighth year of his Majesties Reign Annoq Domini
1735

W COSBY

By his Excellency's Command
FFRED^k MORRIS D. Seccry

God save the KING

[N. Y. Col. MSS., LXX., 134.]

BY HIS EXCELLENCY

WILLIAM COSBY Captain General and Governour in Chief of the Provinces of New York,
(L. S.) New Jersey and Territoryes thereon depending in *America* Vice Admirall of the same
and Collonell in his Mäties Army &c

A PROCLAMATION

WHEREAS the Generall Assembly of the Province of New York stands adjourned untill to morrow being the second tuesday of July instant I have thought fitt for his Majesties service by virtue of the powers and authorityes to me granted by his Mäties Letters patent under the great seal of *Great Britain* farther to Adjourn the said Generall Assembly untill the last tuesday of *August* next ensuing And the said Generall Assembly is hereby accordingly adjourned untill the said last tuesday of *August* next of which all his Mäties subjects and others concerned are to take Notice and govern themselves accordingly

Given under my hand and seal at ffort George in *New York* this *seventh* day of
July in the ninth year of his Mäties Reign Annoq Dom 1735

By his Excies Comand
FFRED^k MORRIS D. Seccry

W COSBY

[N. Y. Col. MSS., LXX., 133.]

BY HIS EXCELLENCY

WILLIAM COSBY Captain Generall and Governour in Chief of the Provinces of New York
(L S) New Jersey & Territoryes thereon depending in *America* Vice Admirall of the same
and Collonell in his Mäties Army &c

A PROCLAMATION

WHEREAS the Generall Assembly of the Province of New York stands Adjourned to the last Tuesday of this Instant August I have thought fitt for his Majesty's service by virtue of the Powers and Authorityes unto me granted by his Mäties Letters patent under the great seal of *Great Britain* further to adjourn the said Generall Assembly untill the *second tuesday* in *October* now next ensuing And the said Generall Assembly is hereby accordingly adjourned untill the said *second Tuesday* in *October* next when they are peremptorily to meet and themselves in

Generall Assembly to convene without any further notification hereof Of which all his Mäties Subjects and others concerned are to take Notice and Govern themselves accordingly

Given under my hand and seal at ffort George in *New York* this *twenty ffifth* day of
August in the ninth year of his Mäties Reign Annoq Dom 1735

By his Excies Command

FFRED^k MORRIS D Secery

W COSBY

TWENTIETH ASSEMBLY EIGHTH SESSION.

Att a Council held at ffort George in New York, the 17th day of October, 1735.

PRESENT — *His Excie W^m COSBY, Captain Gen^lall & Gov^r in Chief, &c.,*

M^r Secery CLARKE,
M^r VAN HORNE,
M^r KENNEDY,
M^r CHIEF JUSTICE,

M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

Ordered, that the Deputy Clerk of the Board do acquaint the House of Representatives that his Excellency requires their Inēdiatē attendance at the Council Chamber

The Assembly accordingly attending with their Speaker His Excellency was pleased to make a speech to them in the words following viz^t

Gentlemen,

The obligation I was under to meet the six Nations of Indians at Albany to renew the covenant chain has prevented my calling you together sooner. But that the Garrison of Oswego might not be disappointed of the Provisions that are necessary for the Ensuing year I did, before I went to Albany, with the advice of his Mäties Council, Direct M^r D'Peyster and M^r Schuyler who signified to us their willingness to undertake it, to make Provision before the winter sho^d set in, promising them, as I now do, to recōmend it to you

There are Some things that I recōmended to you at your last Sitting which require your further and effectuall care, particularly the encouragement of the Trade of the Province and the peopling it with honest Industrious men, they are things of the utmost Concernment to you wherein, as in all other things for his Majesties Service and the good of the Country, you may depend upon my Concurrence.

W COSBY

Att a Council held at ffort George in New York, the 3^d Nov^r, 1735.

PRESENT — *His Excie W^m COSBY, Captain Gen^lall & Gov^r in Chief, &c.,*

Doct^r GOLDEN,
M^r VAN HORNE,
M^r KENNEDY,
M^r CHIEF JUSTICE,

M^r COURTLANDT,
M^r LANE,
M^r HORSMANDEN.

A Message from the Assembly by Coll Hutchinson with the Bill entitled, An Act for the further Continuing An Act Entitled, An Act to let to ffarm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the Same dutys as distilled Liquors & desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the 1st time &

Ordered a Second reading

A Message from the Assembly by Coll Gaasbeck Chambers with the Bill Entitled, An Act for the further Continuance of An Act entitled, An Act for Settling & regulating the militia in this province and making the Same usefful for the Security and defence thereof and for repealing

all other Acts relating to the Same as likewise the Severall Acts whereby the Same has been revived and Continued and desiring the Concurrence of this Board thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the 1st time &

Ordered a Second reading

At a Councill held at ffort George in New York, the 4th day of Novemb^r, 1735.

PRESENT — His Excie W^m COSBY, Captain Generall and Gov^r in Chief, &c.,

M^r KENNEDY,

M^r LANE,

M^r CHIEF JUSTICE,

M^r HORSMANDEN.

M^r COURTLANDT,

Ordered, that the Deputy Clerk of the Board do acquaint the House of Representatives that his Excellency requires their immediate attendance at the Councill Chamber

The House of Representatives Accordingly Attending with their Speaker his Excellency made a Speech to them in the Words following viz^t

Gentlemen,

I find by the Treasurer's Accounts of the present State of the Revenue that there is already a large deficiency and from the Ensuing Season of the year It may be apprehended that it will be much augmented before your next meeting if Some timely and effectuall provision be not now made Justice and your own Honour oblige you to it and the officers of the Government whose Subsistance depends upon it, and his Majesties Service make it my indispensable Duty to recommend it to you in the Strongest manner Things of this nature grow worse by delay The ways & means to pay a large Debt may become burthensome to the Country whereas a timely provision will not be felt Had I known of this at your first meeting I had then mentioned it to you and not have troubled you at this time

Post Meridiem

PRESENT as before Ante Meridien

The Bill entitled, An Act for the further continuing An Act, entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Colloay for the time therein mentioned and for declaring Shrub lyeable to the same Dutys as Distilled Liquors, Was read a second time and comitted to the Gentlemen of the Councill or any five of them

The Bill entitled, An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this Province and making the same usefull for the Security and defence thereof and for repealing all other Acts relating to the same as likewise the Severall Acts whereby the same has been revived and continued, was read a Second time and Comitted to the Gentlemen of the Councill or any five of them

A Message from the Assembly by Major Glen with the Bill entitled, An Act to continue two severall Acts therein mentioned relating to the publick high roads in the City and County of Albany and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

A Message from the Assembly by Captⁿ Rutgers with the Bill entitled, An Act to enable the Mayor, Aldermen and Cōmonalty of the City of New York to raise money for the term of two years to & for the purposes therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Att a Councill held at ffort George in New York, the 7th day of November, 1735.

PRESENT — His Excie W^m COSBY, Captⁿ Gen^lall & Gov^r in Chief, &c.,

D^r COLDEN,
M^r VAN HORNE,
M^r KENNEDY,

M^r CHIEF JUSTICE,
M^r CORTLANDT,
M^r LANE.

The Bill entitled, An Act to enable the Mayor Aldermen and Cōmonalty of the City of New York to raise money for the term of two years to and for the purposes therein mentioned was read a second time and Cōmitted to the Gentlemen of the Councill or any five of them

The Bill entitled, An Act to Continue two Severall Acts therein mentioned relating to the publick high roads in the City and County of Albany, was read a Second time & Cōmitted to the Gentmⁿ of the Councill or any five of them

A Message from the Assembly by Coll Philip Schnyler with the Bill entitled, An Act to continue An Act entitled, An Act to discharge the Severall Demands on the trading house at Oswego, to Support his Maties Troops posted there, to regulate the Indian trade, to prevent abuses in the same, and for other purposes therein mentioned and desiring the Concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

A Message from the Assembly by Captain Rutgers with the Bill entitled, An Act to revive, enforce & continue the Currency of the Bills of Credit therein mentioned untill the end of the year one thousand seven hundred and thirty nine and desiring y^e concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

A Message from the Assembly by Captⁿ Pawling wth the Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing, regulating and further laying out publick high roads in the County of Ulster and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

His Excellency withdrawing

The Gentlemen of the Councill resolved into a Cōmee to consider of the severall Bills aforesaid to them referred

The Cōmee being agreed on their report by them to be made thereon & his Excie acquainted therewith

His Excie returned to the Councill Chamber and took his place

Then Doct^r Colden Chairman of the Cōmee to whom were referred the four following Bills viz^t The Bill entitled, An Act for the further continuing An Act entitled, An Act to let to farm the Excise of Strong liquors Retaild in this Colony for the time therein mentioned and for Declaring Shrub lyeable to the same Dutys as Distilled Liquors

The Bill entitled, An Act for the further continuance of An Act entitled, An Act for Settling & Regulating the Militia in this Province & making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been revived & continued.

The Bill entitled, An Act to continue two severall Acts therein mentioned relating to the publick high roads in the City and County of Albany and

The Bill entitled, An Act to enable the Mayor, Alderman & Cōmonalty of the City of New York to raise money for y^e term of two years to & for y^e purposes therein mentioned Reported from the Cōmee that they were ready to make their report thereon when this Board wo'd please to receive the same

Ordered, that the said report be made Immediately

Then D^r Colden in his place reported that they had gone through the said three first Bills without any amendments

Which report on the question being put was agreed to and approved of by the Board &

Ordered, that the said three first Bills be read the third time

And as to the Bill entitled, An Act to enable the Mayor, Aldermen & Cōmonalty of the City of New York &c Doct^r Colden further reported from the Cōmee that they had gone through the said Bill without any amendments which report being agreed to by the Board &

On the Question being put

Whether the said Bill sho'd be read a third time?

It was carried in the negative and

Ordered, that the said Bill sho'd be rejected

Att a Council held at ffort George in New York, the 8th Nov^r, 1735.

PRESENT — His Ex^{ty} W^m COSBY, Captain Gen^l & Gov^r in Chief, &c.,

Mr VAN HORNE,
Mr KENNEDY,
Mr CHIEF JUSTICE,

Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The three following Bills viz^t The Bill entitled, An Act for the further continuing An Act entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned and for declaring Shrub lyeable to the same dutys as distilled Liquors

The Bill entitled, An Act for the further continuance of An Act entitled, An Act for Settling and regulating the Militia in this province and making the same usefull for the Secnrity and defence thereof and for repealing all other Acts relating to the same as likewise the Sevrall Acts whereby the same has been revived and continued

The Bill entitled, An Act to continue two sevrall Acts therein mentioned relating to the publick high roads in the City and County of Albany was read the third time & past without any amendments

Ordered, that the Chief Justice do acquaint the House of Representatives therewith

The Bill entitled, An Act to continue An Act entitled, An Act to discharge the Sevrall Demands on the trading house at Oswego to Support his M^{ties} Troops posted there, to regulate the Indian trade, to prevent abuses in the same and for other purposes therein mentioned was read a Second time & Cōmitted to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to revive enforce & continue the Currency of Bills of Credit therein mentioned untill the end of the year 1739 was read a Second time and Cōmitted to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing, regulating and further laying out publick high roads in the County of Ulster was read a Second time & Cōmitted to the Gentlemen of the Council or any five of them

His Excellency withdrawing

The Board resolved into a Cōmee to consider of three aforegoing Bills to them referred

The Cōmee being agreed on their report by them to be made thereon and his Excellency acquainted therewith

His Excellency returned to the Council Chamber and took his place

Then Mr Horsmanden Chairman of the Cōmee to whom the said three Bills were referred reported that the Cōmee were ready to make their report thereon when this Board wo^d please to receive the same

Ordered, that the said report be made Immediately

Then Mr Horsmanden in his place reported that the Cōmee had gone through the said three Bills without any Amendments

Which report on the question being putt was agreed to and approved of by the Board and

Ordered, that the said three Bills be read the third time

A Message from the Assembly by Coll Haring with the Bill entitled, An Act to prevent Damages by Swine in the precinct of Goshan and some other parts contiguous thereto in the County of Orange and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

A Message from y^e Assembly by Mr Verplank with the Bill entitled, An Act for defraying the cōmon & necessary charge of the mannor of Cortlandt in the County of West Chester & desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ord^d a second read

A Message from the Assembly by Coll Phillipse with the Bill entitled, An Act for Naturalizing W^m Cornlius & sevrall other persons therein named and desiring the concurrence of this Board thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ord^d a second reading

The Board adjourned for an hour

The Board met according to adjournment

PRESENT as before

The three following Bills viz^t The Bill entitled, An Act to continue An Act entitled, An Act to discharge the sevrall Demands on the trading House at Oswego to support his M^{ties} troops

posted there to regulate the Indian trade to prevent abuses in the same and for other purposes therein mentioned

The Bill entitled, An Act to revive, enforce & continue the Currency of the Bills of Credit therein mentioned until the end of the year one thousand seven hundred & thirty nine &

The Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Ulster

Were read the third time and past without any Amendments

Ordered, that Mr Horsmanden do acquaint the House therewith

The Bill entitled, An Act for Naturalizing W^m Cornelius & severall other persons therein named was read a second time & comitted to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to prevent Damages by Swine in the precinct of Goshan & some other parts contiguous thereto in the County of Orange was read a second time and comitted to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for defraying the comon & necessary charge of the mannor of Cortlandt in the County of West Chester was read a second time and comitted to the Gent^l of the Council or any five of them

Post Meridiem

PRESENT, As before Ante Meridiem

Mr Lane Chairman of the Comtee to whom were referred the three following Bills viz^t The Bill entitled, An Act for Naturalizing W^m Corulius & Sev^l all other persons therein named

The Bill entitled, An Act to prevent damages by Swine in the precinct of Goshan & Some other parts Contiguous thereto in the County of Orange

The Bill entitled, An Act for defraying the Comon & necessary Charge of the Mannor of Cortlandt in the County of West Chester reported that the Comtee were ready to make their report thereon when this Board wo^d please to receive the Same

Ordered, that the Said report be made Immediately

Then Mr Lane in his place reported that the Comtee had gone through the Said three Bills without any Amendments

Which report on the question being put was agreed to and approved of by the Board and

Ordered, that the two first of the Said three mentioned Bills be read the third time

Then the two first of the Said three mentioned Bills were read the third time and past without any Amendments &

Ordered, that Mr Lane do Acquaint the House of Representatives therewith

And as to the Bill entitled, An Act for defraying the Comon & necessary charge of the Mannor of Cortlandt in the County of West Chester

On the question being put

Whether the Same Should be read the third time? It was

Ordered, that the Same Sho^d lye on the Table

Ordered, that the Deputy Clerk of the Board do Acquaint the House of Representatives that His Excellency requires their Immediate attendance at the Council Chamber

The House of Representatives accordingly attending with their Speaker His Excellency was pleased to give his Assent to the following Bills viz^t

1. An Act for the further Continuing An Act entitled, An Act to let to farm the Excise of Strong Liquors retailed in this Collony for the time therein mentioned & for declaring Shrub lyeable to the Same Dutys as Distill'd Liquors

2. An Act for the further Continuance of An Act entitled, An Act for Settling and regulating the Militia in this province & making the Same usefull for the Security and defence thereof and for repealing all other Acts relating to the Same as likewise the Severall Acts whereby the Same has been reviv'd & Continued.

3. An Act to Continue two Severall Acts therein mentioned relating to the publick high roads in the City & County of Albany

4. An Act to Continue An Act entitled, An Act to discharge the Severall Demands on the trading House at Oswego, to Support his Maties Troops posted there, to regulate the Indian trade to prevent abuses in the Same and for other purposes therein mentioned.

5. An Act to revive, enforce & Continue the Currency of the Bills of Credit therein mentioned until the end of the year One thousand Seven hundred and thirty nine

6. An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick high roads in the County of Ulster.

7. An Act to prevent Damages by Swine in the precinct of Goshan & some other parts contiguous thereto in the County of Orange

8. An Act for Naturalizing W^m Cornelius & Sev^l all other persons therein particularly named

Then his Excellency attended with the usuall solemnity went to the City Hall and there caused the Severall Acts aforesaid to be published

His Excellency attended as aforesaid returned to the Councill Chamber and recommended to the Speaker of the Assembly to adjourn themselves untill the last Tuesday in the month of March next ensuing

[N. Y. Col. MSS., LXXI, 1.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majesties Council and Commander in Chief of the
(L. S.) Province of New York &c

A PROCLAMATION

WHEREAS the Generall Assembly of the province of New York Stands Adjourned until the last Tuesday of the month of March Instant, I have thought fit for his Majesties Service by vertue of the Powers and Authoritys on me Devolved by his Majesties Letters Patent under the Great Seal of *Great Britain* and by and with the advice and consent of his Majesties Council for the said Province further to adjourn the said Generall Assembly until the last *Tuesday* in *April* next ensuing, and the said Generall Assembly is hereby accordingly adjourned until the last *Tuesday* in *April* next, of which all his Majesties subjects & others concerned are to take notice and Govern themselves accordingly.

Given under my hand and Seal at ffort George in *New York* the *Eighteenth* day of
March in the ninth year of his Majesties Reign Annoq Domini 1735

GEO. CLARKE

By His Honour's Command
FFRED^k MORRIS D. Secery

God save the KING.

[N. Y. Col. MSS., LXXI, 17.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majestys Councill and Cōmander in Chief of the
(L. S.) Province of New York &c In Councill

A PROCLAMATION

WHEREAS the Generall Assembly of the Province of New York stands adjourned untill this day from the last Tuesday of this Instant April, I have thought fitt for his Majesty's Service by virtue of the powers & authoritys on me devolved by virtue of his Majesty's Letters patent under the great Seal of *Great Britain*, and by and with the advice and consent of his Majesty's Councill, further to adjourn the said Generall Assembly untill *Thursday* the *twenty ninth* day of *Aprill* Instant And the said Generall Assembly is hereby accordingly adjourned untill *Thursday* the said *twenty ninth* day of *April* Instant of which his Maties Subjects and all others concerned are to take notice & govern themselves accordingly

Given under my hand and seal at ffort George in *New York* the *twenty seventh* day of
Aprill in the ninth year of the reign of our Sov^aign Lord George the Second
by the grace of God of Great Britain fiance & Ireland King Defender of the
faith &c Annoq Dom 1736

GEO. CLARKE.

By his Honours Comand
FFRED^k MORRIS D. Secery

[N. Y. Col. MSS., LXXI., 18.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majesty's Council & Comander in Chief of the
(L. S.) Province of New York &c In Council

A PROCLAMATION

WHEREAS the Generall Assembly of the Province of New York stands adjourned untill this day being the twenty ninth day of Aprill instant I have thought fitt for his Majesty's service by virtue of the powers and authoritys on me devolved by virtue of his Majesty's Letters patent under the Great Seal of *Great Britain* and by and with the advice and consent of his Majesty's Council for the said province, further to adjourn the said Generall Assembly untill *Tuesday* next being the *fourth* day of *May* now next ensuing and the said Generall Assembly is hereby accordingly adjourned untill the said *fourth* day of *May* next ensuing Of which all his Majesty's subjects and others concerned are to take notice and govern themselves accordingly

Given under my hand and seal at ffort George in *New York* this *twenty ninth* day
of *Aprill* in the ninth year of the reign of our Sov^raign Lord George the
Second by the grace of God of Great Britain, France and Ireland King,
Defender of the ffaith &c Annoq Dom 1736

GEO. CLARKE

By his Honour's Comand
FRED^k MORRIS D. Cl. Coun.

[N. Y. Col. MSS., LXXI., 19.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majesty's Council and Comander in Chief of the
(L. S.) Province of New York &c In Council

WHEREAS the Generall Assembly of the province of New York stands adjourned untill this day being the fourth day of May instant. I have thought fitt for his Majesty's service by virtue of the powers and authoritys on me devolved by virtue of his Majestys Letters patent under the Great Seal of *Great Britain*, and by and with the advice and consent of his Majestys Council for the said province, further to adjourn the said Generall Assembly untill the first *Tuesday* in *August* now next ensuing and the said Generall Assembly is hereby accordingly adjourned untill the said first *Tuesday* of *August* next ensuing. Of which all his Majestys subjects and others concerned are to take notice and govern themselves accordingly

Given under my hand and seal at ffort George in *New York* this *fourth* day of *May*
in the ninth year of the reign of our Sovereign Lord George the Second by
the grace of God of Great Britain, France and Ireland King, Defender of
the ffaith &c Annoq Dom 1736

GEO CLARKE

By his Honour's Comand
FRED^k MORRIS D. Cl. Coun

God save the KING.

[N. Y. Col. MSS., LXXI., 27.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majesty's Councill and Comander in Chief of the
(L. s.) province of *New York* &c

A PROCLAMATION

WHEREAS the Generall Assembly of the said province stands adjourned to the first Tuesday in August next ensuing and Whereas some disaffected persons seeking their own private ends in publick discentions, have by false, groundless, & wicked Insinuations, reports, letters & other papers endeavoured to corrupt the minds of the Members of the said Assembly, hoping thereby to hinder them from meeting and acting, and to draw them from the Service of their Country, and their duty and allegiance to his Majesty whereby the province would be involved in fatall Convulsions and Miserys And Whereas the Season of the year to which the Assembly Stands adjourned as aforesaid will require their Immediate presence in the Country, In Consideration therefore of their own private affaires, and that they may have more time to weigh the necessity of their meeting and sitting in the Hall to make such Laws, as the Safety the Interest and credit of the province absolutely require, and to reflect on the Danger and the consequences of their refusing or neglecting to meet & Act when duly called upon and Sumōned by his Majesty's Royall Authority, I have thought fitt in his Majesty's name by and with the advice of his Majesty's Councill for the said province, further to adjourn the said Assembly to the Second Tuesday in *September* now next ensuing And I do hereby accordingly adjourn the said Assembly to the said Second Tuesday in *September* now next ensuing and as I am Indispensably bound in Duty to his most Sacred Majesty I Do hereby in his Royall name require them to meet on that Day, as they regard the Service, peace and prosperity of the province, and as they tender their Duty and allegiance to the Best of Kings

Given under my hand and Seal at ffort George in *New York* this *twenty fourth* day
of *July* in the tenth year of his Majesty's reign Annoq Dom 1736

GEO CLARKE

By his Honour's Command

FFRED^k MORRIS D. Cl Coun.

[N. Y. Col. MSS., LXXI., 31.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of His Majesty's Councill and Comander in Chief of the
(L. s.) Province of *New York* &c In Councill

A PROCLAMATION

WHEREAS the Generall Assembly of the province of New York stands adjourned untill this day being the fourteenth day of September instant I have thought fit for his Majesty Service by virtue of the powers and authoirtys on me devolved by his Majesty's Letters patent, under the Great Seal of *Great Britain*, and by and with the advice and consent of his Majesty's Councill for the said province, further to adjourn the said Generall Assembly untill to morrow being the *fifteenth* day of this Instant *September*. And the said Generall Assembly is hereby accordingly adjourned untill the said *fifteenth* day of *September* instant of which all his Majesty's Subjects & others concerned are to take notice and Govern themselves accordingly

Given under my hand and Seal at ffort George in *New York* this *fourteenth* day
of *September* in the tenth year of the Reign of our Sovereign Lord George
the Second by the Grace of God of Great Britain, France & Ireland King
Defender of the Faith &c Annoq Dom 1736

GEO CLARKE

By his Honour's Command

FFRED^k MORRIS D Cl Coun

God save the KING.

[N. Y. Col. MSS., LXXXI, 32]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Maties Council and Commander in Chief of the
(L. S.) Province of *New York* &c In Council

A PROCLAMATION

WHEREAS the Generall Assembly of the province of New York stands adjourned untill this day being the fifteenth day of September instant I have thought fit for his Majesty's service by virtue of the powers & authorities on me devolved by his Majesty's Letters patent under the great seal of *Great Britain* and by and with the advice and consent of his Majesty's Council for the said province further to adjourn the said Generall Assembly untill the second Tuesday in *October* now next ensuing And the said Generall Assembly is hereby accordingly adjourned untill the said second Tuesday in *October* now next ensuing on which day they are hereby required punctually to meet without any further notice of which all his Majesty's subjects & others concerned are to take notice & govern themselves accordingly

Given under my hand and seal at fort George in *New York* this *fifteenth* day of
September in the tenth year of the Reign of our Sovereign Lord George the
Second by the Grace of God of Great Britain France & Ireland King Defender
of the Faith &c Annoq Dom 1736

GEO CLARKE

By his Honour's Command
FRED^h MORRIS D. Cl. Coun

[N. Y. Col. MSS., LXXXI, 43]

BY THE HONOURABLE

GEORGE CLARKE Esq^r President of his Majestys Council for the Province of *New York*
(L. S.) and Commander in Chief of the said Province

A PROCLAMATION

WHEREAS the Generall Assembly of the Province of New York stands adjourned untill this day being the second Tuesday in *October* Instant I have thought fitt for his Majesty's service by virtue of the powers and authorities on me devolved by his Majesty's Letters patent under the Great Seal of *Great Britain* and by and with the advice and consent of his Majesty's Council for the said province further to adjourn the said Generall Assembly untill to morrow being the *thirteenth* day of this instant *October* And the said Generall Assembly is hereby accordingly adjourned untill to morrow the said *thirteenth* day of *October* instant Of which all his Majesty's Subjects and others concerned are to take notice & govern themselves accordingly

Given under my hand and seal at fort George in *New York* this *twelfth* day of
October in the tenth year of the Reign of our Sovereign Lord George the
Second by the grace of God of Great Britain, France & Ireland King Defender
of the Faith &c Annoq Dom 1736

GEO CLARKE

By his Honours Command
FRED^h MORRIS D. Cl. Coun

TWENTIETH ASSEMBLY NINTH SESSION.

JOURNALL OF HIS MAJESTYS COUNCIL OF NEW YORK BEGAN

Thursday the 14th October, 1736.

PRESENT — *The Honourable* ABRAHAM VAN HORNE,
 ARCHIBALD KENNEDY,
 JAMES DE LANCEY,
 PHILIP CORTLANDT,
 HENRY LANE,
 DAN^l HORSMANDEN, Esq^r.

His Honour the President being come into the Conncill Chamber sent a Message by Mr Frederick Morris Deputy Clerk of the Council to the Generall Assembly requiring their immediate attendance at the Council Chamber

The Generall Assembly accordingly attending His Hon^r made a Speech to the Council and Generall Assembly which is as followeth, viz^t.

Gentlemen,

There never was a time wherein your Sitting was more necessary than the present, to heal the unhappy divisions, that have Sprung up in this province, to provide for the Safety the defence and prosperity of it; To encourage Trade and Navigation, and to promote the Raising and Manufacturing Such commodities as may be advantageous to your Selves, and usefull to Great Britain

You have by a Resolve of your House engaged the publick faith (which ought ever to be Sacred) to make good the Deficiencies of the Revenue and I promise myself from your well known Loyalty and Duty to his Majesty that you will now chearfully and effectually provide for it, and it requires your earliest attention

Ship-Building which in some of your neighbouring Provinces is carried on to a Large Extent and is become a considerable part of their Returns to Great Britain has for many years, been much neglected and little used in this province, and yet nature has been as bountifull to us as to them in giving us as many materials for that use, a fruitfull soil for the production of Hemp and a cheap and Safe Navigation for all, from most parts of the province to this city. As this is of the greatest Importance to you I earnestly recommend it to your present Consideration that by a timely and effectuall provision you may retrieve that beneficial Branch of Trade and carrey it to a height Superiour to any other Province.

The Marketts for your flour (the present Staple of the Province) are already so much overdone by the great Importations that are made to them from this and the other northern Colonies that unless some Manufactures be set on foot, that are wanted in Great Britain or do not Interfere with theirs, There will be no way to employ the people to any advantage Great Britain has long extended her bounty to us in the article of Hemp but we have not yet taken hold of it. It wants some further encouragement, and it is your Interest (though with a Present expence) to lay a foundation for that usefull & valuable manufacture, some of your neighbouring Provinces have done it and reap the happy fruits of it

I heartily recommend to your consideration the Fortifications now on foot that if upon Inspection of the accounts, you find the money already given will fall short, you may effectually provide for the finishing of them

Fort Hunter is in a very ruinous Condition The Palisadoes the Blockhouses and Barracks are tumbling down, and hardly to be repaired at a less charge than would build a new one. The principall end for which it was built being to Cover the Christian Settlements then made, and to encourage others to be made in that part of the Mohawks Country is happily attained, and we may reasonably expect the like good effects in the Settling the rest which is much the greatest part of the Mohawks Country. If a new ffort be built on the Carrying place at the upper end of the Mohawks Country, and the Garrison of ffort Hunter be removed thither, This will Cover the whole Mohawks Country, fix an easier Communication between all the frontier Garrisons from Albany to Oswego be a Safe Repository for the goods that must be landed there in passing to and from Oswego and be a Sure protection to that Trade & Country at all times, a Small Sum of money will do the work

The House at Oswego wants Some present repairs and the upholding it is of Such Consequence to the Trade of the Province that I am perswaded you will think it highly necessary to put it in Such a Condition against the Winter as the Officers and Soldiers may be Screened from the Inclemency of the weather

The Commissioners for Indian Affairs having represented to me that there was a necessity of Sending a Smith and Some other persons to reside for a year in the Muncks Country with

some Small Presents, to Secure the fidelity of that nation to us, I hope you will make proper Provision to Defray that Expence

These Things that I have recommended to you being for his Majesties Honour & Service, for the encouragement and advancement of Trade and the Generall Good of the Country, I can Safely & will Chearfully Concur with you in them as I shall in all others of the like Tendency. They deserve your utmost attention and I hope you will give them Dispatch

I make no doubt but that you are come with minds disposed to Consult his Majesties Honour, and the true Interest and quiet of the Province. Let therefore your debates be guided by moderation, make things of a private and Inferiour nature give way to those of a publick and your Electors will thank you, Posterity bless you, and future Assemblies make your actions a Rule for theirs

GEO CLARKE

14th Oct 1736

His Honour being withdrawn

Ordered, Nemine Contradicente, that M^r Chief Justice do act as SPEAKER of the Councill during this Session

Resolved, that the Councill will to morrow morning take His Honour's Speech into Consideration

Then the Council adjourned 'till to morrow morning Eleven O'clock

Friday the 15th October, 1736.

The Councill met according to adjournment.

PRESENT as before.

His Honour the President's speech read

Then M^r Horsmanden moved that a Committee be appointed to prepare an Address to return His Honour the thanks of the Councill for his seasonable speech and to express their readiness to concur in any measures that shall be proposed for his Maties service and the advantage peace and Tranquillity of the province.

Which Motion being seconded by M^r Cortlandt,

Ordered, that Archibald Kennedy, James De Lancey and Daniell Horsmanden Esq^{rs} be a Committee to prepare the same and lay it before the Councill at their next sitting

Resolved, that any three of the members (whereof the Speaker to be one) may adjourn the Councill

Resolved, that no less than five be a Councill to do Buisyness.

Then the Council adjourned 'till to morrow morning, Nine O'clock

Saturday the 16th Oct^r, 1736.

The Councill met according to adjournment.

PRESENT as before.

The Draught of An Address was brought in according to order and read and agreed to *nemine contradicente*

Ordered, that M^r Lane & M^r Horsmanden do wait on his Honour to know when he will be pleased to have the Councill attend him with their address

M^r Lane and M^r Horsmanden being returned reported that they had waited on his Honour and that he was ready to receive the Councill immediately

The Councill accordingly attended and presented their Address in these words

The Humble ADDRESS of his Majesty's Councill for the Province of *New York* to the Hon^{ble} GEORGE CLARKE Esq^r, President of his Majesty's Councill and Commander in Chief of the said province.

May it please your Hon^r

We his Majesty's most Dutifull and Loyall Subjects, The members of y^e Council, for the Province of New York are highly pleased with this opportunity for returning your Honour our Unfeigned Thanks for your seasonable speech

As we are met with hearts intirely disposed to consult his Mties service, and the true Interest and quiet of the Province, so in all our Debates and Resolutions, we are determined to conduct our selves with moderation, and we have the greatest reason to expect from your Honour's known wisdom and prudence, to see a period put to those unhappy Divisions which have sprung up amongst us, and have Industriously been fomented, by the wicked Artificy's of some factious and implacable spirits, who in order to gratify their own private piques and Resentments, have put all at stake and done their utmost to throw this Collony into the most fatall convulsions

Your Honour may be assured that we shall persevere to support his Majesty's Honour and Authority and with hearty zeal & unanimity endeavour to promote the peace and prosperity of the province, and most chearfully concur in all measures which may be conducive to the common Good

By order of the Councill

JAMES DE LANCEY, Speaker

To which his Honour was pleased to make the following Auswer :

Gentlemen,

I thank you for this affectionate Address, and am glad of every opportunity to declare that as I have nothing more at heart, than the Support of his Majesty's Honour and Royall Prerogative, and the Content, the peace & prosperity of the Province, It shall be my Constant care to Consult both and I promise myself from your moderation Councill and assistance, that we shall soon see a period put to the unhappy divisions that have too long subsisted

The Councill being returned to the Councill Chamber,

Ordered, that their Address with his Honour's Answer be forthwith printed.

Then the Councill adjourned 'till Tuesday morning 11 o'clock

Tuesday the 19th Oct^r, 1736.

The Council met according to adjournment.

PRESENT — *The Honourable* ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^{^l} HORSMANDEN Esq^{^{rs}}.

Mr Chief Justice De Lancey acquainted the Councill That he had (as Speaker of the Councill) been attended by the Mayor, Recorder and two Aldermen of the Corporation of the City of New York, with a Message from their members in Comon Councill assembled, Whereby they offered to the Gentlemen of his Majesty's Councill the free use of their Comon Councill Room in the City Hall during every Session of Assembly and that they wo'd with all convenient speed, fit up the Same for their reception, in Such manner as the Coucail shall think proper, and that the same was at their Service, untill the necessary alterations could be made therein

Ordered, that the Said Message be taken into consideration to morrow morning

Then the Council adjourned 'till to morrow morning 11 o'clock

Wednesday, Oct^r 20th, 1736.

The Council met according to Adjournm^t

PRESENT — *The Honourable* CADWALLADER COLDEN,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^{^l} HORSMANDEN, Esq^{^{rs}}.

Mr Chief Justice De Lancey acquainting the Councill that the Buisyness of the Supream Court now Sitting, required his constant attendance, and that he co'd not regularly and Conveniently attend the Board as their Speaker, He therefore, returning the Council thanks for the Honour they had done him, requested them that they wo'd be pleased to excuse him

from that office, and either appoint Some other member for that Service in his stead, or come to a Resolution that the eldest Councillor present from time to time sho'd officiate as Speaker

And the Question being According put, It was thereupon

Resolved, that the Eldest Councillor present shall at all times hereafter preside or officiate as Speaker.

Then the Council proceeded to take into consideration the Message from the Corporation.

Resolved, That M^r Recorder do acquaint the Corporation, That the Council return the Cōmon Council thanks for their offer, and inform them, that they are willing to accept the Same, But in regard it may happen, that the future members of the Common Council, may not have the Same good disposition, they recomēd it the Gentlemen of the Cōmon Council, to Consider whether it may not be proper for them to give some Declaration of Trust which may effectually Secure the use of the Cōmon Council Room for the members of his Majesty's Council for the future, whenever they shall think convenient.

Ordered, that the Treasurer do forthwith lay before the Council a Compleat account of the present state of his Majesty's Revenue, and that the Clerk do serve him with a copy hereof

Then the Council adjourned 'till to morrow morning 10 o'clock.

Thursday, Oct^r 21st, 1736.

The Council met according to adjournm^t

PRESENT — *The Honourable* CADWALLADER COLDEN,
ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

Then the Council adjourned 'till to morrow morning 11 o'clock.

Fryday, Oct^r 22^d, 1736.

The Council met according to adjournm^t

PRESENT as above

A Message from the Assembly by Coll Philip Schnyler with the Bill entitled, An Act for the further continuance of An Act entitled, An Act for settling and regulating the Militia in this province, and making the same usefull for the security and defence thereof, and for repealing all other Acts relating to the same, as likewise the severall Acts whereby the same has been reviv'd & Continued desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, that the same be read a second time at the next meeting of this Board

A Message from the Assembly by Coll Corn^s Herring with the Bill entitled, An Act to enable the Justices of the Peace in Orange County to build a New Court House and Goal for the said County desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time

After which a petition was exhibited and lay'd before this Board by Sam^l Clowes Gentmⁿ Attorney at Law, in behalf of the Inhabitants of the precincts of Goshen and Minnisincks in the said County of Orange setting forth that he in behalf of the said Inhabitants had divers objections to offer against the said last mentioned Bill, and praying leave to be heard thereupon before this Board

Which petition having been read It is

Ordered, that the said Bill be read a second time on Wednesday next, and that the Pet^r have notice thereof and that he do then accordingly attend

A Message from the Assembly by Captain Van Horne with the Bill entitled, An Act to revive An Act entitled, An Act for mending and keeping in repair the Postroad from New York to Kings Bridge Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered to be read a second time at the next meeting of this Board

A Message from the Assembly by Captain Rutger with the Bill Entitled, An Act to revive An Act entitled, An Act for the Speedy punishing and releasing Such persons from Imprisonment as shall committ any criminall offences in the city of New York under the degree of Grand Larceny Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered to be read a second time on Wednesday next

Then the Council adjourned 'till Tuesday next 10 o'clock

Tuesday the 26th Oct, 1736.

The Council met according to adjournm^t.

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

M^r Recorder layd before the Board a Resolve and Order of the Cōmon Council of this City appropriating the Cōmon Council Chamber in the City Hall for the use and Service of his Maties Council at all times during their Sessions in Generall Assembly.

Which having been read was

Ordered, to be filed and enter'd in the Minnits of this Board, and is in the words following viz^t

Att a CōMON COUNCIL held at the City Hall of the said City on *Thursday* the 21st day of *October* 1736

PRESENT — PAUL RICHARD, Esq^r Mayor,
GERRARDUS STUYVESANT, Esq^r Deputy Mayor,
DAN^l HORSMANDEN, Esq^r, Recorder,

John Walter,
William Roome,
Christopher Fell,
Johannes Burger, } Esq^{rs} Aldermen

Charles Le Roux,
John Fred,
Henry Bogert,
Peter Stoutenburgh, } Assistants

Forasmuch as his Majesty's Council of this Province in their Legislative Capacity, During the Sitting of the Generall Assembly are to sit and act in their Legislative Capacity, as a Distinct Body by themselves (without the presence of the Governour or Cōmander in Chief of this province) and Whereas a convenient room or Chamber in the City Hall of this City is not yet cōmodiously fitted up and furnished for his Majesty's said Council to meet and sit in for the better expediting the publick affaires of this Collony in Generall Assembly; And Forasmuch as the Chamber in the City Hall of this City, cōmonly called the Cōmon Council Chamber is under the same roof, where the Generall Assembly do usually meet and sit, whereby both Houses of the Legislature may have speedy recourse to each other for their greater ease and more speedy accomplishing the publick affaires of this province It is therefore

Resolved, and *Ordered*, That the said Chamber in the City Hall of this City, cōmonly called the Cōmon Council Chamber, be with all convenient expedition handsomely fitted up and furnished, and a convenient closett or more be made in the same, and that the same Chamber be adorned with some pictures, maps, prints and other usefull flurniture, and that the same Chamber be appropriated for the use and service of his Majesty's Council of this province, at all times during their Sessions in Generall Assembly, and not otherwise, Reserving to this Corporation, the property and use thereof at all other times, so that the same be secured for the sitting of his Majesty's Council in Generall Assembly, in such manner and form as this Court shall be advised by Council learned in the Law, and that Alderman Stuyvesant, Alderman Roome, Alderman Fell, M^r Le Roux and M^r Fred or any three of them be a Cōmittee forthwith to take care the same Chamber be fitted up, furnished and adorned as aforesaid, at the charge of this Corporation

Wth Order of Cōmon Council

WILL SHARPAS Cl.

Then the Council Adjourned Imēdiately to the Council Chamber in the City Hall

The Council met at the Council Chamber in the City Hall according to adjournment

PRESENT as before

The Bill entitled, An Act for the further continuance of An Act Entitled, An Act for Settling and regulating the Militia in this province and making the Same usefull for the Security and delence thereof, and for repealing all other Acts relating to the Same, as likewise the Severall Acts whereby the Same has been revived and continued, Was read a Second time and comitted to the Gentlemⁿ of the Council or any five of them

The Bill entitled, An Act to revive An Act entitled, An Act for mending and keeping in repair the Post Road from New York to Kings Bridge Was read a Second time and Comitted to the Gentlemⁿ of the Council or any five of them

Ordered, that the Clerk of this Board do acquaint the House of Representatives that this Board have adjourned themselves to the Council Chamber in the City Hall where they intend to meet & Sitt during this Session of the Assembly

The Clerk returning Acquainted the Board that he had Accordingly delivered the above message

A Message from the Assembly by Coll Beekman with the Bill entitled, An Act to revive An Act Entitled, An Act to prevent Swine running at large in Dutchess County & in the Mannor of Livingston, and in the precinct of the Mannor of Renslaerwyck called Claverack in the County of Albany Desiring the concurrence of the Council thereto

Ordered, that the Said Bill be read

Then the Said Bill was read the first time and

Ordered to be read a Second time at the next meeting of the Board

Then the Council adjourned till to morrow morning 10 O'clock

Wednesday the 27th Oct^r, 1736.

The Council met according to Adjournment.

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}

This being the day appointed for the Second reading of the Bill entitled, An Act to enable the Justices of the peace in Orange County to build a new Court House & Jail for the Said County and for hearing the objections against it in behalf of the Inhabitants of the precinct of Goshen and Minnisink the Said Bill was accordingly read a Second time But in regard Mr Clowes who was retained of Council in behalf of the Said Inhabitants cou'd not possibly attend on this day, It is therefore

Ordered, at the request of the Said Inhabitants that the hearing be deferred till Tuesday next and that both Parties be then heard before the Council as well in Support of as against the Said Bill

The Bill Entitled, An Act to revive An Act Entitled, An Act for the Speedy Punishing & Releasing Such Persons from Imprisonment as shall committ any Criminal Offences in the City of New York under the degree of Grand Larceny was Read a Second time and Committed

The Bill entitled, An Act to revive An Act Entitled, An Act to prevent Swine running at large in Dutchess County & in the Mannor of Livingston and in the Precinct of the Mannor of Renslaer Wyck called Claverack in the County of Albany was read a Second time and Committed

A Message from the Assembly by Major Glen with the Bill Entitled, An Act to enforce part of An Act Entitled, An Act for raising fifty pound in the Township of Schanegtade for making their old Church Defencible & other Fortifications in the said Town and for Amending some Gullies at the end of some of the Streets in the same and for Erecting a Bridge & Repairing of the Roads at the places therein mentioned Desiring the Concurrence of the Council thereto

Ordered, that the Said Bill be read

Then the Said Bill was read a Second time &

Ordered a Second reading

The Council resolved into a Cōmittee to Consider of the Bill Entitled, An Act to revive An Act Entitled, An Act to prevent Swine running at large in Dutchess County, and in the Mannor of Livingston, and in the precinct of the Mannor of Renslaer Wyck called Claverack in the County of Albany

The Committee having duely Weighed & Considered of the Same and being ready to make their Report thereon when the Council wo'd please to receive the Same

Ordered, that the Said Report be made Immediately

Then Mr Horsmanden Chairman of the Cōmittee to whom the Said Bill was referred in his place reported that the Committee had gone through the Said Bill without any Amendments

Which Report on the question being put was agreed to & approved of and

Ordered, that the said Bill be read the third time

Ordered, that the Minnits of the Council be first perused by the Council before they be entered in the Book for that purpose to be kept

A Message from the Assembly by Coll Morris Jun^r which he having read was *Ordered*, to be entered in the minnits of which is in the words following viz^t

Die Martis 26th October, 1736

A Message by the Deputy Clerk of the Council Acquainting the House that the Gentlemen of the Council met at the City Hall in the Chamber commonly called the Common Council Room, and that they intend to adjourn at & to the Same place from time to time during this Sessions of the General Assembly

Ordered, that Coll Morris Jun^r acquaint the Gentlemen of the Council that it is the more Agreeable to this House that they have met and do intend to meet in the Said Chamber at the City Hall during this Session inasmuch as this House do conceive it is Conformable to the Constitution of this Government that the Council in their Legislative Capacity do Act as a Seperate Body during the meeting and Sitting of the General Assemblys of this Collony

By Order of the General Assembly

G. LUDLOW Cl.

Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 2^d Novemb^r, 1736.

The Council met according to adjournment.

PRESENT — *The Honourable CADWALLADER COLDEN, Esq^r, Speaker.*

ABRAHAM VAN HORNE,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^r.

This being the day appointed for the hearing of both Parties by their Council as well for as against the Bill Entitled, An Act to Enable the Justices of the Peace in Orange County to build a new Court House & Jail for the said County

And both Parties being in waiting and called in were accordingly heard by their Council and then ordered to withdraw

Then the Council adjourned to 4 o'clock P. M.

The Council met according to adjournment

PRESENT — Ut Ante Meridiem

A Message from the Assembly by Coll Philip Schuyler & Coll Philipse which being read was ordered to be entered in the minnits and is in the words following viz^t

The House taking into consideration that the several Bills sent by them to the Council for their concurrence were passed whilst George Clarke Esq^r was President and Commander in Chief of this Colony and his Majesties Commission constituting him Lieutenant Governour of the same having since been Published

Ordered, that Coll Philip Schuyler and Coll Philipse desire the Gentlemen of the Council to send the several Bills aforesaid to the House that they may make the proper alterations in the stile thereof.

On which It is

Ordered, that the Clerk do carry the several Bills now depending before the Council to the House of Representatives as is desired by their Message of this day sent by Coll Philip Schuyler and Coll Philipse in order for them to make the necessary alterations in the Style thereof and that the Clerk do wait there to receive the said Bills back when the alterations shall be so made.

The Clerk accordingly returning brought the said Bills back with the alterations made by the Assembly in the style thereof and layd the same before the Council

Ordered, that the Hon^{ble} Cadwallader Colden, James De Lancey and Daniel Horsmanden Esq^{rs} be a Committee to Join with a Committee of the members of the Assembly in preparing An Address to his Majesty on the Nuptials of his Royall Highness the Prince of Wales

Ordered, that the Honourable Daniel Horsmanden Esq^r do acquaint the House of Representatives that the Council have appointed the Hon^{ble} Cadwallader Colden, James De Lancey, and Daniel Horsmanden Esq^{rs} to be a Committee to prepare An Address to his Majesty on the Nuptials of his Royall Highness the Prince of Wales with which the Council desire the concurrence of the Assembly and that they wo^d appoint a Committee of their House to joyn with & meet the said Committee of the Council at the house of Mr. Tod on Thursday next at six o'clock in the Afternoon in order to prepare the said Address

Then the Council adjourned till to morrow morning 10 o'clock

Thursday the 3^d November, 1736.

The Council met according to adjournment.

PRESENT —

The Honourable CADWALLADER COLDEN, Esq^r, Speaker.

ABRAHAM VAN HORNE,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}

The Bill Entitled, An Act to revive An Act Entitled, An Act to prevent Swine runing at large in Dutchess County and in the mannor of Livingston & in the precinct of the mannor of Reinslaer Wyck called Claverack in the County of Albany was read the third time & the Question being put

Resolved, that the Bill do pass

Ordered, That the Deputy Clerk of the Council do Acquaint the General Assembly therewith Mr Horsmanden Chairman of the Committee to whom were referred the three following Bills viz^t

The Bill entitled, An Act for the further Continuance of An Act Entitled, An Act for settling & regulating the Militia in this province & making the same usefull for the security and defence thereof and for Repealing all other Acts Relating to the same as likewise the several Acts whereby the same has been revived & continued

The Bill Entitled, An Act to revive An Act Entitled, An Act for the speedy punishing and Releasing such persons from Imprisonment as shall committ any Criminal offences in the City of New York under the Degree of Grand Larceny

And the Bill Entitled, An Act to revive An Act entitled, An Act for mending and keeping in Repair the Post Road from New York to Kings Bridge Reported that the Committee were ready to make their Report thereon when the Council would please to receive the same

Ordered, that the said Report be made Immediately

Then Mr Horsmanden in his place reported that the Committee having duely weighed & considered of the said three Bills had gone through the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said three Bills be read the third time

Then the said three Bills were read the third time and the Question being put

Resolved, that the said three Bills do pass

Ordered, that the Deputy Clerk of the Council do acquaint the General Assembly that the Council have passed the said three Bills without any Amendments

The Bill Entitled, An Act to Enforce part of An Act entitled, An Act for raising fifty pounds in the Township of Schanegtade for making their old Church Defensible & other fortifications in the said Town and for amending some Gallies at the End of some of the streets in the same and for erecting a Bridge & repairing of the Roads at the places therein mentioned Was read a second time and Comitted

A Message from the Assembly by Mr Verplank with the Bill entitled, An Act for the further continuing An Act entitled, An Act to Let to farm the Excise of Strong liquors retailed in

this Colony for the time therein mentioned & for Declaring Shrub Liable to the same Duties as Distilled Liquors Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Collonel Myndert Schnuyler with the Bill Entitled, An Act for the payment of Sixty pounds to Henry Barekly for the service & out of the Bills of Credit therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was Read y^e first time and

Ordered a second reading

The Council received a Message from the General Assembly by Mr Gerritsen that a Committee of their House wo'd meet a Committee of the Council at the time and Place by them appointed on the subject matter of the Address to his Majesty on the Nuptials of his Royal Highness the Prince of Wales and that It was their Inclination that his Honour the Lieutenant Governour be desired to Joy'n in the said Address

Then the Council adjourned 'till to morrow morning 10 o'clock

Thursday the 4th November, 1736.

The Council met according to adjournment

PRESENT —

The Honourable CADWALLADER COLDEN, Esq^r, Speaker,

ABRAHAM VAN HORNE,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to Let to Farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub Liable to the same Duties as Distilled Liquors was read a Second time & committed

The Bill Entitled, An Act for the Payment of Sixty Pounds to Henry Barekly for the Service and out of the Bills of Credit therein mentioned was read a Second time & committed.

A Message from the Assembly by Coll Philipse with the Bill Entitled, An Act for the better clearing, regulating and further laying out Publick high roads in the County of West Chester Desiring the concurrence of the Council thereto

Ordered, that the Said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Hinchinson with the Bill Entitled, An Act to Revive An Act Entitled, An Act for the Speedy Punishing and Releasing such Persons from Imprisonment as shall Committ any Criminal Offences under the degree of Grand Larceny in the several Countys therein mentioned and to Include the City & County of Albany and the County of Suffolk therein, Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

The Council Resolved into a Committee to consider of the three following Bills viz^t

The Bill Entitled, An Act to Enforce part of An Act Entitled, An Act for Raising fifty Pounds in the Township of Schanegtade for making their old Church defencible and other Fortifications in the said Town and for Amending some Gullies at the end of some of the streets in the same and for erecting a Bridge & Repairing of the roads at the places therein mentioned

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to Let to farm the Excise of Strong Liquors Retailed in this Colony for the time therein mentioned and for declaring Shrub Liable to the same Duties as Distilled Liquors and

The Bill Entitled, An Act for the payment of Sixty pounds to Henry Barekly for the Service and out of the Bills of Credit therein mentioned

The Committee having duely weighed & considered of the same and being ready to make their report thereon

The Speaker resumed the chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said three Bills were referred in his place Reported that the Committee had gone through the said Bills & had directed him to Report the same without any amendments

Which Report on the question being put was agreed to & approved of

Ordered, that the said three Bills be read the third time

Then the Council adjourned 'till Saturday next at 10 o'clock in the morning

Saturday, the 6th November, 1736.

The Council met according to adjournment

PRESENT—

The Honourable CADWALLADER COLDEN, Esq^r, Speaker.

ABRAHAM VAN HORNE,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}

The three following Bills viz^t The Bill Entitled, An Act to Enforce part of An Act Entitled, An Act for raising fifty pounds in the Township of Schaelegade for making their old Church Defensible & other Fortifications in the said Town and for amending some Gullies at the End of some of the streets in the same and for Erecting a Bridge & repairing of the roads at the places therein mentioned

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors Retaild in this Colony for the time therein mentioned and for declaring Shrub Liable to the same Duties as distilled Liquors and

The Bill Entitled, An Act for the Payment of sixty pounds to Henry Barekly for the service & out of the Bills of Credit therein mentioned was read the third time and the Question being put

Resolved, that the said three Bills do pass

Ordered, that the Deputy Clerk of the Council do acquaint the General Assembly therewith

The Bill Entitled, An Act for the better clearing Regulating & further laying out Publick high roads in the County of West Chester Was read a second time & comitted

The Bill Entitled, An Act to revive An Act Entitled, An Act for the speedy Punishing and releasing such Persons from Imprisonment as shall comitt any Criminal offences under the degree of Grand Larceny in the severall Countys therein mentioned and to Include the City & County of Albany & the County of Suffolk therein was read a second time & Comitted

Mr Chief Justice from the Committee appointed to prepare the Draught of an Address to Congratulate his Majesty on the Nuptials of his Royal Highness the Prince of Wales presented the Draught to the Council which was unanimously agreed to

Ordered, that Mr Chief Justice do acquaint the General Assembly that the Council have approved of the Draught of the Address to his Majesty prepared by the Committees of the Council & the General Assembly & that they have appointed the Honourable Cadwallader Colden, Daniel Horsmanden Esq^{rs} & himself to wait upon his Honour the Lieutenant Governour to desire him to Joyn with the Council & the General Assembly therein

The Chief Justice returning acquainted the Council he had accordingly delivered the above Message to the General Assembly

A Message from the General Assembly by Coll^d Philipse in the words following

Die Sabbat 6 November 1736

Ordered, that Coll^d Philipse acquaint the Council that the Address to his Majesty as it is prepared by their Committee in conjunction with a Committee of this House is approved of by the said House

By order of the House
G. LUDLOW Cler.

Another Message by Coll^d Philipse Viz^t

Die Sabatt 6 November 1736

Ordered, that Coll^d Philipse acquaint the Council that this House have appointed Coll^d Myndert Schuyler, Coll^d Philipse Mr Ver Plank, Coll^d Matthews, Cap^t Rutgers and Mr Le Comnt to Joyn with the Gentlemen of the Council named in their Message to wait on the Lieuten^t Governour and desire him to Joyn with the Council & the General Assembly in the Address to his Majesty

and that he do likewise acquaint the Council that the members of this House will be ready to sign the same when it is Engrossed & signed by the Lieutenant Governour & them

By order of the Genl Assembly

G. LUDLOW Cler

The Treasurer laid before the Council a General Account of the present State of his Majesties Revenue in this Colony to the first of September 1736 which was

Ordered, to lye on the Table for the perusal of the members

Ordered, that the consideration of the Bill Entitled, An Act to Enable the Justices of the peace in Orange County to build a New Court house & Jail for the said County be deferred 'till Monday next & that both Parties may be then further heard if they shall think fit

Then the Council adjourned to Monday next at 10 o'clock in the morning

Monday the 8 November, 1736.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ABRAHAM VAN HORNE,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Council proceeded to take into consideration the Bill Entitled, An Act to Enable the Justices of the Peace in Orange County to build a New Court House and Jail for the said County

The Parties for and against the Bill were further heard

On their withdrawing a motion was made that they might be admitted to prove their Title to the Ground mentioned in the Bill which on the Question being put being carryed in the affirmative they were accordingly admitted & produced a Deed for that Purpose

On which the Parties withdrew

Then the Question was put

Whether the said Bill sho'd be committed?

Which was carryed in the affirmative

Then the Council resolved into a Committee to consider as well of the said Bill as of the Bill Entitled, An Act to revive An Act Entitled, An Act for the Speedy Punishing & Releasing such persons from Imprisonment as shall Commit any Criminal Offences under the Degree of Grand Larceny in the several Counties therein mentioned and to Include the City & County of Albany and the County of Suffolk therein

The Committee having duely weighed & considered of the said two Bills and being ready to make their Report thereon when the Council would please to receive the same

Then the Speaker resumed the Chair

Ordered, That the said Report be made Immediately

Then M^r Horsmanden in his place reported that the Committee had gone through the Bill Entitled, An Act to Enable the Justices of the peace in Orange County to build a New Court House & Jail for the said County and had directed him to report the said Bill without any amendments

Which Report on the Question being put was agreed to & approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and the Question being put

Resolved, that the said Bill do pass

Ordered, that the Deputy Clerk of the Council do acquaint the General Assembly that the Council have past the said Bill without any amendments

M^r Horsmanden in his place further reported from the Committee that they having considered of the Bill Entitled, An Act to revive An Act Entitled, An Act for the speedy Punishing and Releasing such Persons from Imprisonment as shall commit any criminal offences under the Degree of Grand Larceny in the several Counties therein mentioned and to Include the City & County of Albany and the County of Suffolk therein They had gone through the said Bill and had made an amendment thereto

Ordered, that the amendment be read

Then the amendment was read and on the Question being put was agreed to and approved of

Ordered, That the said Bill be read the third time as amended

Then the said Bill was read the third time and

The Question being put

Resolved, that the said Bill as amended do Pass

Ordered, that Mr Horsmanden do carry the said Bill with the amendment made by the Council thereto to the General Assembly and desire their concurrence therewith

Doctor Colden acquainted the Council that the Committee of the Council & General Assembly had waited on his Honour the Lieutenant Governour with the Draught of the Address to his Majesty to desire him to Joyn with them therein to which his Honour was pleased to return the following answer :

Gentlemen,

I am highly pleased that upon my recommendation you have prepared a Draft of An Address to his Matie on the marriage of his royal highness the Prince of Wales with her highness the Princess of Sax Gotha. I have read it and heartily concur with you in it

Then the Council adjourned to 3 o'clock P. M.

Monday, 8th November, 1736, P. M.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker.

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Council resolved into a Committee upon the Bill Entitled, An Act for the better clearing Regulating and further Laying out Publick high roads in the County of West Chester The Committee having duely weighed and considered of the same and being ready to make their Report thereon

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee in his place Reported that they had gone through the said Bill and had made an amendment thereto

Ordered, that the amendment made to the said Bill be read

Then the amendment was read

And on the Question being put

The same was agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time accordingly

Resolved, on the Question being put that the said Bill as amended do pass

Ordered, that Mr Horsmanden do carry the said Bill with the Amendment to the General Assembly and desire their concurrence therewith

The Council adjourned till to morrow morning 10 o'clock

Tuesday the 9th November, 1736.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker.

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

A Message from the Assembly by Coll Hutchinson with the Bill Entitled, An Act to revive An Act Entitled, An Act for the speedy Punishing & Releasing such Persons from Imprisonment as shall comitt any criminal offences under the Degree of Grand Larceny in the several Countys therein mentioned and to Include the City & County of Albany and the County of Suffolk therein together with the amendment made by the Council thereto That their House have agreed to the amendm^t and requesting the Council to amend the said Bill accordingly

Then the said Bill was accordingly amended in presence of the Council and the amendment itself likewise affixed to the Bill

A Message from the Assembly by Mr Verplank with the Bill Entitled, An Act for the better clearing Regulating and further laying out publick high roads in the County of West Chester together with the amendment made by the Council thereto That their House have agreed to the Amendment and requesting the Council to amend the said Bill accordingly

Then the said Bill was accordingly amended in presence of the Council and the Amendment itself likewise affixed to the Bill

Ordered, that all the standing Rules or orders of the Council be not only Entered in the Minnits of the Day on which the same shall be made but also in a distinct place by themselves for that purpose to be kept in order to the readier turning to and finding out any particular standing Rule or order as occasion may require

Ordered, that the Hon^{ble} Cadwallader Colden James De Lancey & Daniel Horsmanden Esq^{rs} do wait on his Honour the Lieutenant Governour with the Address to his Majesty on the Nuptials of his Royal Highness the Prince of Wales requesting his Hon^r that he will be pleased to transmitt the same by the first opportunity

Then the Council adjourned 'till to morrow morning 11 o'clock

Wednesday, 10th November, 1736.

The Council met according to adjournment.

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker.

ABRAHAM VAN HORNE,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

Cadwallader Colden Esq^r acquainted the Council that he in conjunction with James De Lancey & Daniel Horsmanden Esq^{rs} had pursuant to an order of Council of the ninth Instant waited on his Honour the Lieutenant Governour with the Address to his Majesty on the Nuptials of his Royal Highness the Prince of Wales to request him to transmitt it by the first opportunity and had left it in his hands on which his Honour promised to transmitt the same accordingly by the first convenient opportunity

The Deputy Clerk and Door keeper of the Council having each of them respectively attended that service the number of fourteen days during this session, It is

Ordered, that the Speaker of the Council do Issue his Certificate for that purpose requesting his Honour that a warrant may be drawn on the Revenue for paying to the Deputy Clerk twelve Shillings for each day & to the Doorkeeper of the Council Six Shillings for each day

His Honour with the usual Solemnity came to the Council Chamber at the City Hall in order to give his Assent to the Severall Bills past this Session and took his Seat at the Council Board

Then his Honour sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance in order to their being present at his Honours Giving his Assent to the said several Bills

The General Assembly accordingly attending with their Speaker his Honour addressed himself to the Gentlemen of the Council & of the Assembly in the words following viz^t

Gentlemen of the Council & of the Assembly,

I am come to give my Assent to the Bills that have past both Houses, and I do it with the greater pleasure, as it can't be said that I am Induced to it by private views or Self Interest The Happyness of the People and the prosperity of the Province are the things that I profess to have at heart, and I shall on all occasions demonstrate by my actions the sincerity of my professions

Then his Honour gave his Assent to the ten following Bills viz^t

1 An Act for the further continuance of An Act Entitled, An Act for Settling and Regulating the Militia in this Province and making the same usefull for the Security & defence thereof and for Repealing all other Acts relating to the same as likewise the several Acts whereby the same has been revived & continued

2 An Act to Revive An Act Entitled, An Act for the Speedy Punishing & Releasing such Persons from Imprisonment as shall Committ any Criminal Offences in the City of New York under the Degree of Grand Larceny

3 An Act to revive An Act entitled, An Act for mending & keeping in repair the Post Road from New York to Kings Bridge

4 An Act to Revive An Act Entitled, An Act to Prevent Swine Runing at large in Dutches County and in the Mannor of Livingston and in the Precinct of the Mannor of Renslaer Wyck called Claverack in the County of Albany

5 An Act to Enforce part of An Act Entitled, An Act for Raising fifty pounds in the Township of Schanegtade for making their old church Defencible, and other fortifications in the said Town and for amending some Gullies at the End of some of the Streets in the same and for Erecting a Bridge & Repairing of the Roads at the places therein mentioned

6 An Act for the further continuing An Act Entitled, An Act to let to farm the Excise of Strong Liquors Retaild in this Colony for the time therein mentioned and for Declaring Shrub Liable to the same Dutys as Distill'd Liquors

7 An Act for the Payment of Sixty Pounds to Henry Barekly for the service & out of the Bills of Credit therein mentioned

8 An Act to enable the Justices of the Peace in Orange County to Build a New Court House & Jail for the said County

9 An Act to Revive An Act Entitled, An Act for the Speedy Punishing and Releasing such persons from Imprisonment as shall commit any Criminall Offences under the Degree of Grand Larceny in the several Counties therein mentioned & to Include the City & County of Albany & the County of Suffolk therein

10 An Act for the Better Clearing Regulating & further Laying out Publick High Roads in the County of West Chester

Then His Honour acquainted the Gentlemen of both Houses That he thought it necessary for his Maties Service & the Benefit of the Province to Prorogue them to the last Tuesday in March next and his Honour declared that the said General Assembly is hereby accordingly Prorogued to the said last Tuesday in March next

After which his Honour attended with the Gentlemen of the Council and of the Assembly & those of the Corporation with the other usual Solemnitys Returned to the Council Chamber at the Court

[N. Y. Co., MSS., LXXI., 77.]

BY THE HONOURABLE

GEORGE CLARKE, Esq; Lieut. Governour and Commander in Chief of the Province of *New York*, and the Territories thereon depending, &c.

A PROCLAMATION

WHEREAS the General Assembly of the Province of *New York* stands Prorogued until this Day, being the last *Tuesday* of *March* Instant, I Have thought fit, for his Majesty's Service, by Virtue of the Powers and Authorities unto me granted by his Majesty, and by and with the advice and consent of his Majesty's Council, further to Prorogue the said General Assembly, until *Tuesday* the fifth Day of *April* now next ensuing, and the said General Assembly is hereby accordingly Prorogued, until the said fifth Day of *April* now next ensuing. Of which all his Majesty's Subjects are to take Notice, and govern themselves accordingly.

Given under my Hand and Seal at Fort George in New York this 29th Day of March, in the Tenth year of the Reign of our Sovereign Lord George the Second, by the Grace of God, of Great Britain, France and Ireland, King Defender of the Faith, &c. Annoq; Dom. 1737.

GEO. CLARKE

By his Honour's Command,
FRED. MORRIS, D. Secry.

God save the KING

TWENTIETH ASSEMBLY TENTH SESSION.

At a Session of the Council and General Assembly begun at the City Hall in New York, on Tuesday the 5th day of April, 1737.

His Honor the Lieutenant Governor having by proclamaⁿ dated the 29th day of March last further prorogued the General Assembly of this Province untill this day
The Council met at the Council Chamber at the City Hall

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esquires.

The Speaker took the Chair

A Message by the Deputy Secretary acquainting the Council, That His Honor having been for above a month past laid up with the Gout and confined to his House, He was unable to go abroad to meet them at the Council Chamber at the City Hall, He therefore requested the Gentlemen of the Council wo^d be pleased to attend him at the Council Chamber in the fort

And the Gentlemen of the Council went accordingly

The Council being met there the General Assembly attended

And His Honor made a Speech to the Council and General Assembly

After which the Gentlemen of the Council returned to the Council Chamber at the City Hall

PRESENT as before

The Speaker having resumed the Chair He informed the Council that His Honor had delivered to him a copy of his speech

Ordered, the Speech be read

Which having been read Mr Chief Justice in his place moved that the Council sho^d address his Honor & return him their thanks for his Speech, to express their grateful sentiments of his Honor's prudent Administration and the present tranquillity of the province, to assure him that they will unanimously, and with the utmost cheerfulness concur in all measures, which may conduce to the forwarding and putting in execution the several Important matters therein recommended, so manifestly tending to the peace and prosperity of the Province, and to the rendering us a Happy and flourishing people

Which motion being unanimously agreed to

Ordered, that the Chief Justice, Mr Lane and Mr Horsmanden be a Committee to prepare a Draught of an Address accordingly

His Honor's Speech which he delivered to the Council and Assembly is in the words following viz^t

Gentlemen,

The season of the year having obliged me to put an End to your last Session before severall matters by me recommended to you, were provided for; you came to a Resolution before you broke up, to take them into consideration and to give them their due weight at your next meeting, and I hope you are now come together with Resolutions to make good your Engagements, Both his Majesties Honor and service, and the happiness and prosperity of the Province require it of you

You will see by the Treasurer's Accounts that there is a great Deficiency of the Revenue, under which not only the officers of the Government groan, but their Creditors also suffer extremly; This is a debt contracted during this present Assembly by the Insufficiency of the funds given for support of Government, and 'tis but reasonable to expect from you such speedy provision as may soon and effectually pay it, Your own Honor is plighted for it, and I am perswaded that you will not leave that to be done by another Assembly, which you ought to do yourselves, nor suffer a Debt to grow greater, which you have the power and opportunity to discharge, The Eyes of the Province are upon you expecting a speedy Event, and I assure myself that you will make all your actions of a piece with your beginning, Honourable and worthy, befitting your characters of Dutiful, Affectionate and Loyal subjects, to the best of Kings, whom God long preserve

The Determination of the present Revenue drawing nigh I earnestly recommend it to you to give a further and Honourable Revenue to his Majesty for the Support of his Government, nor do I doubt of your cheerfulness to do it, I hope however that you will take some methods to

ease the merchant that the whole Burthen may not lye on Trade. It is necessary and the Planters will soon find the benefit of it, for it is on the Increase and flourishing condition of Trade that they must grow Rich

I recommended to you the last Session to give some proper encouragement for raising of Hemp and promoting of Ship Building, I now add to them that of Iron ; They are things that deserve your utmost attention and call for a speedy help

I recommended likewise to you the flört in the Mohawks Country, The House at Oswego and the new flörtifications, The flört is tumbling down, The second in a ruinous condition, The third calls for the finishing Hand, and all require your effectual and Immediate care

These being things that his Majesties Honor and service, and the Defence security and Prosperity of the Province, require at your Hands, I perswade myself that you will now cheerfully and effectually provide for them, and that you will likewise give a sum sufficient to put in good repair that part of the Barracks in his Majesties flört in this Town, which were left unfinished when the rest of the Barracks were repaired

The Artificers complain and with too much reason of the pernicious custom of breeding Slaves to Trades, whereby the honest and Industrious Tradesmen are reduced to poverty for want of employ, and many of them forced to leave us to seek their Living in other Countrys, It deserves your consideration and I hope will receive a present remedy

Gentlemen,

We have the pleasure to see peace restored to this once divided Province, and I hope that by your assistance I shall be able to put it in a more flourishing and prosperous condition than ever it has been, my best endeavour shall be directed to it, and I make no doubt that you are met with Resolutions to contribute every thing in your power towards it

You have it now in your power to sett on foot, to encourage, to raise and to carry to a great Height several commoditys that are wanted in England, such as will employ great numbers of people here, give life and vigour to your declining Trade and Navigation, raise the Price of Lands, enrich the flarmer make you usefull to your Mother Country and strongly recommend you to His Majesties grace and favour, and I promise myself that you will not let slip the present opportunity

Whatever else is necessary for the Prosperity of the Province, wherein my concurrence may be given, you may assuredly expect from me. Let your actions be guided by moderation, Let the Publick Good have the flört and principal place in your Deliberations, and then your Country may hope to see themselves raised from their present condition to an Height of Riches and felicity as yet unknown to them

GEO. CLARKE

The Council adjourned 'till to morrow at four o'clock in the afternoon

Wednesday the 6th April, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker took the Chair

Ordered, that Letters be sent to the absent members of the Council requiring their Immediate attendance

Then the Council adjourned 'till to morrow 11 o'clock in the forenoon

Thursday the 7th April, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^s

The Speaker took the Chair

The Draught of an Address was brought in according to order and read and agreed to *namine contradicente*

Ordered, that the Chief Justice and M^r Lane do wait on the Governor to know when he will be pleased to have the Council attend him with their address

M^r Chief Justice and M^r Lane being returned reported that they had waited on His Honor and that he was ready to receive the Council immediately

The Council accordingly attended and presented their Address in these words

To the Honourable GEORGE CLARKE Esq^r Lieutenant Governor and Commander in Chief of the Province of *New York* and the Territories thereon depending &c

The Humble ADDRESS of his Majestys Council for the Province of *New York*.

May it please your Honor,

We the members of his Majesty's Council return our most sincere thanks for your Honor's Speech, so affectionate towards the People of this Province

We are perswaded your Honor has no doubt of our hearty Dispositions to concur in making up the Deficiencies in his Majesty's Revenue; our Duty to the best of Kings, the security and advantage of his people here, and the publick faith and Honor, which ought ever to be held sacred and inviolable require it of us

The People of this Province must with great pleasure observe the zeal your Honor has shewn on all occasions, for their interest and prosperity, and more particularly at this time, by proposing to the consideration of the Legislature the setting on foot such Branches of Trade & manufactures as are most likely to be beneficial to our selves, in the advancement of our own Riches, and making us most useful to our Mother Country. We Assure you Sir We will with the utmost zeal and chearfulness take those Important matters you have recommended, unto our most serious Deliberations, That your Honor's just endeavours for putting this Province into more happy and flourishing circumstances than ever it has been, may become successful and effectual

Every one that has the least apprehension of the miseries a Country is exposed to by evil Dissentions, and the happyness of peace and Tranquillity under the conduct of a Governor whose views are so manifestly calculated for securing the Rights and Liberties of the People, under his care, and in all respects directed to their welfare and Prosperity, cannot but be sensible of the good effects of your Honor's prudent administration.

We assure you, Sir, It shall be our Chief Endeavour during your continuance in your High Station over us That your past cares and sollicitudes for the publick weal may be fully recompenced by the pleasure and satisfaction you may receive in Governing a people rejoicing in the sense they have of their Happyness

By order of the Council
CADW. COLDEN, Speaker

To which His Honor was pleased to make the following answer

Gentlemen,

I thank you heartily for this kind Address, and am fully perswaded of your zeal for his Majesties service and for the happyness and Prosperity of the Province, and perfectly assured of your concurrence in all things that may promote either. I have no other views in my administration than his Majesty's Honor and service, and the quiet and felicity of his subjects My utmost endeavours shall always be directed to those ends, and I have great reason to hope for success from your Council and assistance

GEO. CLARKE

The Council being returned to the Council Chamber

The Speaker resumed the Chair

Ordered, that their Address with his Honor's Answer be forthwith printed

Ordered, that the Treasurer do forthwith lay before the Council a compleat account of the present state of his Majesties Revenue and that the Clerk do serve him with a copy hereof
Then the Council adjourned 'till Thursday next 11 o'clock in the forenoon

Thursday the 14th April, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker took the Chair

Ordered, that the Speaker have leave to be absent for some time his necessary affaires in the Country requiring his immediate attendance there

Then the Council adjourned 'till Thursday next at 11 o'clock in the forenoon

Thursday the 21st April, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

JAMES DE LANCEY,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Tuesday next at 10 o'clock in the forenoon

Tuesday the 26th April, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* PHILIP LIVINGSTON, Esq^r, Speaker,

PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council Adjourned 'till Tuesday next at 10 o'clock in the forenoon

[IN EXECUTIVE SESSION]

April 28th, 1737

It appearing by the votes of the General Assembly now layd before the Board that they had not made good the Deficiencies of the Revenue for the Support of his Majesty's Government in this Colony according to the Act of Assembly and their own resolves for that purpose, and had voted that the moneys to be raised for making good such Deficiencies sho'd be appropriated in such manner as by Bill sho'd be directed and appointed. His Honor was therefore pleased with the unanimous advice of his Majesty's Council to prorogue the said General Assembly until Tuesday the third day of May next and

Ordered, that a Proclamation do issue accordingly

Tuesday the 3^d May, 1737.

His Honor the Lieutenant Governor having by Proclamation of the 28th of April last prorogued the General Assembly until this day

The Council met accordingly

PRESENT — *The Honorable* ABRAHAM VAN HORNE, Esq^r Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

Speaker assumed the Chair

The Deputy Clerk and Door keeper of the Council having each of them respectively attended that Service the number of Seven days during this Session It is

Ordered, that the Speaker of the Council do issue his Certificate for that purpose requesting His Honor that a Warrant may be drawn on the Revenue for paying to the Deputy Clerk twelve Shillings for each day and to the Doorkeeper of the Council Six Shillings for each day

The General Assembly Sent a Message by their Clerk to acquaint the Council that their House were met On which the Council Sent a Message by the Deputy Clerk to His Honor the Lieutenant Governor to Acquaint him that the Council were met

Who being returned reported that His Honor by reason of the Gout being unable to go abroad to meet them at the Council Chamber in the City Hall He therefore requested the Council wo'd attend him at the Council Chamber in the ffort

The Council accordingly attended

And the General Assembly likewise attending His Honor addressed himself to the General Assembly As follows

Gentlemen,

Your Solemn promises (in the repeated Resolves of your House) to make good the Deficiencies of the Revenue, obliged me to give you an Opportunity of performing them, and at the Same time of making such Laws as are much wanted to rescue this Province from it's declining Condition, and to put it in a more flourishing State; they are equally necessary, and ought to go hand in hand, but Since you have not made the proper use of that opportunity but have passed Some Resolves highly derogatory to his Majesties Honor and just Prerogative, which I am bound to maintaine and Support, I am no longer constrained to delay my gratifying the Desires of the people with a new choice of Representatives. Sooner I could not do it without Subjecting myself to censure, I have therefore thought fitt now to DISSOLVE you, And I do Accordingly DISSOLVE you.

TWENTY-FIRST ASSEMBLY FIRST SESSION

At a Session of the Council and General Assembly begun at the City Hall in New York, on Wednesday the 15th of June, 1737.

His Honor the Lieutenant Governor having dissolved the late General Assembly, and Writts having been issued for choosing a new one to meet on this day

The Council met at the Council Chamber in the City Hall

PRESENT — *The Honourable* ABRAHAM VAN HORNE, Esq^r, Speaker,

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honor attended as usual being Come to the Council Chamber in the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly that His Honour required their Immediate attendance in order to be Sworn

Eighteen of the members accordingly attended & were Sworn After which His Honor desired them to return to their House to choose a Speaker and present him to His Honor for his approbation

Alderman Johnson and Coll Matthews brought a Message from the Assembly that they had elected a Speaker and were ready to wait upon His Honor when he pleased.

To which His Honor Said, Immediately

After which Coll Chambers acquainted his Honor that they had chosen Coll Lewis Morris Jun^r their Speaker

Then the House waited upon His Honor and presented their Speaker to him, whom his Honor approved of and then His Honor made a speech to them in these words

Gentlemen,

As his Majesties Honor and the true Interest and prosperity of the Province which I have most warmly at Heart, were prevailing motives with me to dissolve the last Assembly; I am highly pleased that the people have made the right use of the opportunity I gave them, in choosing such Gentlemen to represent them, as I am firmly perswaded, come with resolutions to answer those great ends of their Election

The approaching Harvest forbidding me to expect you could at this time sitt to do buisyness, I take that opportunity to meet the six Nations at Albany to renew the Covenant Chain, and to endeavour to prevail with the Sinneca's, to revoke a promise of leave, which they have unjustly and unadvisedly given to John Cœur a Frenchman of Canada to build an House in their Country at Tierondequat a place, which if possess by the French will enable them to intercept all the Western flurr Trade in it's way to Oswego At present therefore I have nothing to recommend to you but this, That every one in his respective station and County may endeavour to carry to perfection the good Harmony that is allready happily begun in the Province to which nothing shall be wanting on my part, And I assure myself of the utmost success from your assistance

GEO CLARKE

The Council adjourned 'till to morrow at 12 o'clock in the forenoon

Thursday the 16th June, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* ABRAHAM VAN HORNE, Esq^r, Speaker.

PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honor being obliged to go to Albany to meet the Six Nations of Indians there, and having directed the General Assembly to adjourn themselves to the fourth Tuesday in August next

The Council therefore adjourned 'till the said fourth Tuesday in August

Friday the 2^d Sep^r, 1737.

The Council met

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Lieutenant Governor being come into the Council Chamber sent a Message by Frederick Morris Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance at the Council Chamber

The General Assembly accordingly attending His Honor made a speech and delivered a copy thereof to the Speaker of the Council and another copy to the Speaker of the General Assembly After which His Honor returned to the flort

Then the Speaker resumed the Chair

Ordered, that the Speech be read

Which having been read

Ordered, that the same be entred in the Minnits and is in the words following viz^t

Gentlemen,

With pleasure I perceive by the Resolves of your House in June, that you did in your Short Sitting of two days enter in part upon the consideration of the present State and circumstances of the Province. This Early beguining has prevented my Recommending several things to you, and gives me hopes that the future course of your proceedings will be directed to his Majestys Honour and the true Interest of the Province; When they are Joyntly considered as they ought to be Inseperable, We may promise ourselves the Utmost felicity; Every mans private Interest must partake of Publick Blessings, and that small portion that I have among you, will naturally lead me to grant everything that may promote the Common good Everything that is in my power to Grant, more than that you are too reasonable to expect, nor can I give into without departing from my Duty to His Majesty and Betraying the Trust Reposed in me, nor can you receive any benefit by it, could I be drawn to Such a Conduct, since all your Bills are subject to his Majestys Disallowance; my Duty, my Honour and my Inclination bind me both to a striek Obedience of his Majestys Just Commands and Royal Instructions, to maintain and Support his Rightfull Prerogative and to the proper administration and right end of Government in protecting his Majestys Subjects of this Province in the full enjoyment of their Civil and Sacred rights & Libertys wherein it shall be my constant Study & unwearyed Endeavour to persevere

The Deficiencies of the Revenue under which the officers of the Government and their Creditors groan call for your early attention, and from your Justice and Honour I hope to see Speedy and Ample provision made for them

The well known Loyalty of this Province to the Crown and their Zealous affection to His present Majesty, the Best of Kings, and his Royall and Illustrious House have appeared conspicuous on every occasion and in nothing more than in the Support of Government, which the Assembly have at all times given to his Majesty, and I assure my self that your Loyalty Zeal and Affection are nothing short of theirs who have gone before you. In this Confidence I do with most assured hopes of Success earnestly Recommend to you to give to His Majesty a further and Honourable Revenue for the Support of his Government, such and for such time at least as former Assemblys have given Wherein I hope that a due regard will be had to Trade.

The House at Oswego is in a ruinous condition and wants a present and thorough repair I daily expect a more particular account of it's present condition from the officer whom I have sent to Command there, and when I receive it, I will order it to be layd before you, that you may the better Judge of the sum it will require to repair it. It is a place of great Importance to the Furr Trade, which under a better oeconomy may be carryed to a greater extent and I hope you will make further Provision for the Support & Maintenance of the House and Garrison

When I went to Albany to meet the Six Nations I was not without hopes of getting them to revoke the Promise of leave which they had given to the French Interpreter to build an House at Tierondequant in the Seneca's Country and of obtaining from them an absolute conveyance of some Land to build a flort on in that place, and of as much more as might be sufficient to raise provision for the Victualling that Garison and Oswego too, which would save the Country much money and secure to us the fidelity of the Six Nations in all events How I have Succeeded in part and how in other parts my Intentions have been Defeated, will appear by the Papers which I shall order to be layd before you, all that I could then do was to send the Interpreter, A Smith

and three other men to the Sinneca's Country there to reside the ensuing year to keep the Indians steady to their promise not to suffer any frenchman to build in their Countrey, and I hope you will make suitable provision for that expence

Fort Hunter in the Mohawks Country is Tumbling down and that part of the Barracks in Fort George which for want of money was left unfinished when the rest of the Barracks were repaired will Soon be in as bad a Condition, if Some Care be not Speedily taken to repair it. I therefore earnestly recommend them to your present consideration, as I do likewise the new Fortifications which want the finishing hand

Whatever else you may Judge necessary for the Tranquillity Prosperity and Security of the Province wherein my Concurrence may be necessary and which I may Safely give, you may with Confidence Expect for it will be an inexpressable pleasure to me to See Trade, Navigation and Ship Building increase and flourish Manufactures that may be use full to Great Britain and Beneficial to the Province, sett on foot and Carried to perfection The Country replenished with White people and a general benevolence and Harmony take place again throughout the Province These are things that are much wanted and universally wished for, hitherto neglected or not enough thought of, for want of that publick spirit which is absolutely necessary to make a Country flourish, They are greatly in your power, and if the good understanding that is happily begun, continues to Subsist between the Several parts of the Legislature, as I hope it will, I make no doubt but the Province will soon reap the Fruits of it, and find their Expectations (from the Choice they have made of you their Representatives) fully Answered, Posterity feel the happy effects of it, and We shall all Recommend ourselves to his Majestys grace and Favour, who makes the happyyness of his people his first Care and greatest Glory

GEO CLARKE

2^d September 1737

Ordered, that his Honour's Speech be taken into Consideration on Wednesday next
Then the Council adjourned till Wednesday next at 10 o'clock in the morning

Wednesday the 7th Sept^r, 1737.

The Council met According to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that his Honour's Speech be further Cnsidered as Occasion may require
Then the Council adjourned till to morrow morning 10 o'clock

Thursday the 8th Sept^r, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHIL COURTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Deputy Clerk of the Council do write to the absent members requiring their Immediate attendance

Then the Council adjourned till to morrow morning

Fryday the 9th Sept, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLAND,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till Thursday next at 10 o'clock in the morning

Thursday, 15th September, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

M^r CHIEF JUSTICE,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs},
M^r SURVEYOR GENERAL.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 11 o'clock

Fryday the 16th September, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs},
M^r SURVEYOR GEN^l.

The Speaker assumed the Chair

The Council adjourned till Tuesday next at 11 o'clock

Tuesday the 20th September, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs},
M^r SURVEYOR GENERAL.

The Speaker assumed the Chair

The Council adjourned til Thursday next at 11 o' in the morning

Thursday the 22nd September, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ABRAHAM VAN HORNE,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^r,
M^r SURVEYOR GENERAL.

The Speaker assumed the Chair

A Message from the Assembly by M^r Johnson with the Bill entitled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be Read

Then the Said Bill was read the first time and

Ordered a Second Reading

The Council adjourned till Tuesday next at 10 o' in the morning

Tuesday the 27th September, 1737.

The Council mett according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

JAMES DE LANCEY,
DANIEL HORSMANDEN, Esq^r,
M^r SURVEYOR GENERAL.

The Speaker assumed the Chair

The Council adjourned till Fryday next at 10 o' in the morning

Fryday the 30th September, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

HENRY LANE, Esq^r,
M^r SURVEYOR GENERAL.

The Speaker assumed the Chair

Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 4th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A Message from the Assembly by James Alexander Esq^r with the Bill Entitled, An Act to Enable the General Assembly or House of Representatives of this Colony for the time being

to name constitute and appoint and pay one or more agent or agents to solicit the publick affairs of this Collony at the Court of Great Brittain Desireing the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll^o Phillip Schuyler with the Bill Entituled, An Act for the further continuing of An Act Entituled, An Act for settling and regulating the Militia in this province, and making the same usefull for the security and Defence thereof and for repealing all other Acts relating to the same, as likewise the several Acts whereby the same has been revived and Continued Desireing the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Mr Philipse in behalf of Coll^o Renslaer with the Bill Entituled, An Act for Naturalizing Johannes Lorents Carsteins Desireing the concurrence of the Council thereto, Coll^o Renslaer who by the Assembly was ordered to Bring in the said Bill being sick

Ordered, that the said Bill be read

Then the said Bill was read the first time.

After which it was

Ordered, that upon all Private Bills for the future to be Presented to this House the Party or Partys for whose use or benefitt such Bill or Bills is or shall be intended, shall before the second Reading thereof be ordered, make his or their application to the Council by Petition setting forth the Reasons or motives for or on which they wo'd pray the Council to pass the same And that the Person or Persons who shall apply for the obtaining of any such Private Bill or Bills be acquainted or served with a copy of this order

Then the Council adjourned till to morrow morning at 11 o'clock

Wednesday the 5th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

PHILIP CORTLANDT,

HENRY LANE, Esq^r.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 11 o'clock

Thursday the 6th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Petition of Johannes Lorents Carstens was Presented and Read Praying that this House wo'd be favourably pleased to pass their Assent to a Bill for Naturalizing him Past by the General Assembly and now lying before this House

On the Reading of which the Question was put

Whether the said Bill should be read a second time?

Which was carried in the affirmative

Ordered, that the said Bill be read a second time

A Message from the Assembly by Coll^o Mathews with the Bill Entituled, An Act for the further continuing An Act Entituled, An Act to Let to farm the Excise on Strong Liquors retailed in this Colony for the time therein mentioned and for declaring Shrub liable to the same Duties as Distilled Liquors Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read
Then the said Bill was read the first time and
Ordered a second reading
Then the Council adjourned till to morrow morning at 11 o'clock

Friday the 7th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,
ARCHABALD KENNEDY,
PHILIP CORTLAND,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 11th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for the further Continuing An Act Entituled, An Act to Lett to farm the Excise on Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub Liable to the same Duties as Distilled Liquors was read a Second time and committed

The Bill Entituled, An Act for Naturalizing Johannes Lorents Carstens was read a Second time and committed

The Council Resolved into a Committee to consider of the two foregoing Bills

The Committee having duely weighed and considered of the same and being ready to make their Report thereon

The Speaker resumed the Chair

Ordered, that the said report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place Reported that the Committee had gone through the said Bills and had directed him to report the same without any amendments

Which Report on the Question being putt was agreed to and approved of

Ordered, That the said two Bills be read the third time

Then the Council adjourned till to morrow morning, 11 o'clock

Wednesday the 12th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The two following Bills viz' The Bill Entituled, An Act for the further continuing An Act entituled, An Act to Let to farm the Excise of Strong Liquors retailed in this Colony for the time

therein mentioned and for declaring Shrub Liable to the same duties as Distilled Liquors, and The Bill Entitled, An Act for Naturalizing Johannes Lorents Carstens were read the third time

And the Question being put

Resolved, that the said two Bills do pass

Ordered, that the Deputy Clerk of the Council do acquaint The House of Representatives that the Council have passed the said two Bills without any amendments

The Bill Entitled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected was read a second time and committed

The Bill Entitled, An Act to Enable the General Assembly or House of Representatives of this Colony for the time being to name constitute and appoint and Pay one or more agent or agents to solicit the Publick Affairs of this Colony at the Court of Great Britain was read a second time and committed

The Bill Entitled, An Act for the further continuing of An Act Entitled, An Act for settling and regulating the Militia in this Province and making the same usefull for the security and Defence thereof and for repealing all other Acts relating to the same as likewise the severall Acts whereby the same has been revived and continued was read a second time and Committed.

Then the Council adjourned till Fryday next at 3 'oclock in the afternoon

Fryday the 14th of October, 1737.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

His Honour attended as usual came to the Council Chamber at the City Hall in order to give his assent to the two following Bills viz^t

The Bill Entitled, An Act for the further continuing An Act Entitled, An Act to Let to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub Liable to the same Duties as Distilled Liquors and

The Bill Entitled, An Act for Naturalizing Johannes Lorents Carstens and took his seat at the Council Board

Then his Honour sent a Message by the Clerk of the Council to the General Assembly requiring their Immediate Attendance in Order to their being Present at his Honours giving his Assent to the Said two Bills

The Assembly accordingly Attending with their Speaker His Honour gave his Assent to the Said two Bills

After which his Honour attended with the Gentlemen of both Houses and Caused the Said two Bills to be published at the City Hall

Then the Council returned to the Council Chamber

PRESENT as before

The Speaker resumed the Chair

A Message from the Assembly by M^r Philipse, M^r Ver Plank and M^r Johnson in the words following viz^t

Die Joris 13th October 1737

Whereas yesterday the Deputy Clerk of the Council brought a Message from the Council to Acquaint this House that the Council had passed the two Bills therein mentioned

And Whereas this House then Conceived that the delivery of such Messages in that method was an Innovation, therefore took the matter into Consideration until this day before this House would receive the Said Message

And upon a strict Examination had of that matter This House finds that the method and usage of delivering Messages to this House relating to the passing of Bills has heretofore been by the hands of one of the Council Except in three Instances that past unobserved towards the close of that Session of Assembly which ended in November last Wherefore it is

Resolved and Ordered, that Coll Philipse, M^r Ver Plank and M^r Johnson do deliver a Message to the Council Signifying that this House desires Satisfaction from the Council concerning the

said Innovation which this House conceives is to the Derogation of the Liberty of the General Assembly of this Colony

By order of the General Assembly
G LUDLOW Cl

Which being read

Ordered, that the Speaker, Mr De Lancey, Mr Lane and Mr Horsmanden be a Committee to prepare an Answer thereto

Then the Council adjourned till Tuesday next at 4 o'clock in the Afternoon

Tuesday the 18th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

Mr Horsmanden (Chairman of the Committee appointed to prepare an Answer to a Message to this Board from the General Assembly of the thirteenth Instant) reported that the Committee having Considered of the same had directed him to Report their Answer thereto

Ordered, that the Answer to the said Message be read

Then the Answer was according read, and

The Question being put the Same was agreed to and approved of and

Ordered, that the same be entered in the minutes Which is in the words following viz^t

18th October 1737

The Council taking into consideration the Message of the General Assembly of the thirteenth of October Instant, in Answer thereto say They shall be ready at all times to give the General Assembly the Satisfaction they desire That the Council thought it reasonable that when they were only to acquaint the General Assembly that they had Concurre'd with anything the General Assembly had desired of them that in such case the Council thought it Sufficient to Inform the General Assembly thereof by the Clerk of the Council Which method the Council conceive to be in no wise derogatory to the Liberty of the General Assembly

By Order of the Commée

D HORSMANDEN

Ordered, that the Clerk do carry the said Answer to the General Assembly

Then the Council adjourned till Thursday morning at nine o'clock

Thursday the 20th October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLAND,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

A Message from the Assembly by Mr Jones in behalf of Coll^o Philipse with the Bill Entituled, An Act to revive An Act Entituled, An Act to Amend the Practice of the Law and to Regulate the givin of Special Bail and to Explain part of the said Act (Coll^o Philipse who was ordered to bring in the said Bill being unable to attend) Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

A Message from the Assembly by Mr Jones with the Bill Entituled, An Act to Restrain Tavern Keepers and Inholders from Selling Strong Liquors to Servants and Apprentices and from giving Large Creditt to others Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

The Council resolved into a Committee to consider of the two following Bills viz^t The Bill Entituled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so Elected and

The Bill Entituled, An Act for the farther continuing of An Act Entituled, An Act for Settling and regulating the Militia in this Province and making the same usefull for the Security and Defence thereof and for repealing all other Acts relating to the same as likewise the several Acts whereby the same has been revived and continued

The Committee having duely weighed and considered of the said two Bills and being ready to make there Report thereon when the Council would please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said two Bill were referred in his place reported that they had gone through the Bill Entituled, An Act for the frequent Elections of Representatives to Serve in General Assembly and for the frequent meeting of the General Assembly so elected had amended the Title thereof and made Several amendments to the body of the said Bill

Ordered, that the Amendments be read

Then the Amendments were read and on the Question being put were agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time and

The question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Honourable Daniel Horsmanden Esq^r do carry the said Bill with the amendments made by the Council thereto to the General Assembly and desire their Concurrence therewith

Mr Horsmanden in his place further reported that the Committee had gone through the Bill Entituled, An Act for the further continuing of An Act Entituled, An Act for settling and regulating the Militia in this Province and making the same usefull for the security and Defence thereof and for repealing all other Acts relating to the same as likewise the several Acts whereby the same has been revived and continued and had directed him to report the said Bill without any amendments

Which report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

The Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly that the Council have past the said Bill without any amendments

Then the Council adjourned till to morrow morning at 10 o'clock

Friday the 21st of October, 1737.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
PHILIP CORFLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entituled, An Act to Revive An Act Entituled, An Act to Amend the Practice of the Law and to regulate the Giving of Special Bail and to Explain part of the said Act was read the second time and committed

The Bill Entituled, An Act to restrain Tavern Keepers and Inholders from selling Strong Liquors to Servants and apprentices and from giving Large Credit to others was read a second time and committed

Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 25th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned till to morrow morning at 10 o'clock

Wednesday the 26th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Mr Adolph Philipse with the Bill Entituled, An Act to Revive An Act Entituled, An Act to provide able Pilots and to establish their Pilotage between Sandy Hook and the Port of New York Desiring the concurrence of the Council thereto

Ordered, That the Said Bill be read

Then the Said Bill was read the first time and

Ordered a Second reading

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entituled, An Act to Revive An Act Entituled, An Act for the better preservation of Oysters and Power to make Sale of the Forfeitures therein mentioned Desiring the Concurrence of the Council thereto

Ordered, that the Said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

The Council Resolved into a Committee to Consider of the Bill Entituled, An Act to revive An Act Entituled, An Act to Amend the Practice of the Law and to regulate the Giving of Special Bail and to Explain part of the Said Act

The Committee having duely weighed and Considered of the Same and being ready to make their report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the Said Bill and had directed him to report the same without any Amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the Said Bill be read the third time

Then the Said Bill was read the third time and the Question being put

Resolved, That the Said Bill do pass

Ordered, that the Clerk of the Council do Acquaint the General Assembly that the Council have past the said Bill without Any Amendments

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entituled, An Act for the frequent Elections of Representatives to Serve in General Assembly and for the frequent meeting of the General Assembly so elected Together with the amendments made by the Council thereto That their House have agreed to all the amendments made to the Said Bill except that Amendment mentioned in Page the 2nd Line the 5th from the word (unless) in the said 5th Line to the word (the) In the 8th Line Which amendment the General Assembly Cannot agree to

Ordered, that the said Message be taken into Consideration

Then the Council adjourned till to morrow morning at 10 o'clock

Thursday the 27th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable CADWALLADER COLDEN, Esq^r, Speaker,*

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act to revive An Act Entituled, An Act to Provide able Pilots and to Establish their Pilotage between Sandy Hook and the Port of New York Was read a Second time and Committed

The Bill Entituled, An Act to revive An Act Entituled, An Act for the better Preservation of Oysters and Power to make Sale of the forfeitures therein mentioned was read a Second time and Committed

The Council Resolved into a Committee to Consider of the two following Bills viz^t

The Bill Entituled, An Act to enable the General Assembly or House of Representatives of this Colony for the time being to name, constitute and appoint and pay one or more agent or agents to solicit the Publick Affairs of this Colony at the Court of Great Britain And

The Bill Entituled, An Act to Restrain Tavern Keepers and Innholders from Selling Strong Liquors to Servants and apprentices and from giving large Credit to others

The Committee having duely weighed and considered of the same and being ready to make their Report thereon when the Council wo'd please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place reported that they had gone through the Bill Entituled, An Act to Enable the General Assembly or House of Representatives of this Colony for the time being to name constitute and appoint and pay one or more Agent or Agents to Solicit the publick Affairs of this Colony at the Court of Great Britain and had amended the Title thereof and made Several amendments in the body of said Bill

Ordered, that the Amendments be read

Then the Amendments made to the said Bill were read and on

The Question being put

The same were agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time and

The Question being put

Resolved, that the said Bill as amended do pass

Ordered, that M^r Horsmanden do carry the said Bill with the Amendments made by the Council thereto to the General Assembly and desire their concurrence therewith

M^r Horsmanden in his place further Reported that the Committee had gone through the Bill Entituled, An Act to restrain Tavern Keepers and Innholders from Selling Strong Liquor to Servants and Apprentices and from giving Large Credit to others and had made some Amendments thereto

Ordered, that the Amendments be read

Then the Amendments made to the said bill were read and on

The Question being Put

The same were agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time and

The Question being Put

Resolved, that the said Bill as Amended do Pass

Ordered, that M^r Lane do Carry the said Bill with the Amendments made by the Council thereto to the General Assembly and desire their concurrence therewith

The Council taking into consideration the Message of the General Assembly of the 26th Instant That that House disagree to one of the amendments made by the Council to the Bill Entituled, An Act for the frequent Elections of Representatives to Serve in General Assembly and for the frequent meeting of the General Assembly so elected

On the Question being Put

Resolved, that the Council do adhere to all the amendments by them made to the said Bill

Ordered, that M^r Horsmanden do acquaint the Assembly therewith

Then the Council adjourned till to morrow morning at 10 o'clock

Fryday the 28th of October, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council Resolved into a Committee to consider of the Following Bills viz^t

The Bill Entitled, An Act to Revive An Act Entitled, An Act to Provide Able Pilots and to Establish their Pilotage between Sandy Hook and the Port of New York

And the Bill Entitled, An Act to Revive An Act Entitled, An Act for the better preservation of Oysters and Power to make sale of the forfeitures therein mentioned.

The Committee having duely weighed and considered of the same and being ready to make their Report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the Bill Entitled, An Act to revive An Act Entitled, An Act to Provide Able Pilots and to Establish their Pilotage between Sandy Hook and the Port of New York and had directed him to report the same without any amendments

Which Report on the Question being putt was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

The Question being Putt

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly that the Council have Past the said Bill without any amendments

M^r Horsmanden further reported from the Committee that they had gone through the Bill Entitled, An Act to revive An Act Entitled, An Act for the better preservation of Oysters and Power to make sale of the Forfeitures therein mentioned and had made an amendment thereto

Ordered, that the amendment made to the said Bill be read

Then the Amendment was read and on the Question being Put

The same was agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time and

The Question being Putt

Resolved, that the said Bill do Pass

Ordered, that M^r Cortlandt do carry the said Bill with the amendment made by the Council thereto to the General Assembly and desire their concurrence therewith

Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 1st of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly with the Bill Entitled, An Act to Enable the Justices of the Peace in that part of Orange County Lying to the Northward of the Highlands to build a

Court house and Goal in the said County at Goshan Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll^o Beckman with the Bill Entituled, An Act to Divide Dutchess County into Precincts and to Repeal the Act therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

A Message from the Assembly by Simon Johnson Esq^r in the words following

Die Vener 25th of October 1737

Ordered, that Simon Johnson Esq^r do acquaint the Council This House cannot agree to the amendments made to the Bill Entituled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected and therefore desire a conference upon the subject matter thereof, and that they will appoint a committee of that Board and time and place to meet a Committee of this House for that Purpose

By order of the General Assembly

G. LUDLOW Cl.

Ordered, that the Honourable Philip Livingston, James De Lancey and Daniel Horsmanden Esq^{rs} be a Committee to meet a Committee of the General Assembly on the subject matter of the said Message and that the Honourable Daniel Horsmanden do acquaint the General Assembly therewith and desire that they wo^d appoint a Committee of their House to meet the said Committee of the Council at the house of Mr Todd at 7 O'clock this Evening on the subject matter of their said Message

A Message from the Assembly by Mr Livingston with the Bill Entituled, An Act to Revive An Act Entituled, An Act for the better Preservation of Oysters and Power to make sale of the forfeitures therein mentioned Together with the amendment made by the Council thereto That their House have agreed to the said amendment

Then the Council adjourned till to morrow morning at 11 o'clock

Wednesday the 2nd November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act to divide Dutchess County into Precincts and to Repeal the Act therein mentioned was read a second time and committed

The Petition of sundry Freeholders and Inhabitants of the Precincts of Goshan and Minissinck in the County of Orange was Presented and read Praying the Council wo^d be Pleased to pass their Assent to a Bill for building a Court house and Goal for the said County at Goshan which was Past the General Assembly and now depending before the Council after which it was

Ordered, that the said Bill Entituled, An Act to Enable the Justices of the Peace in that part of Orange County Lying to the Northward of the highlands to build a Court house and Goal in the said County at Goshen be read a second time

Then the said Bill was read a second time and committed and

Ordered, that the consideration of the Petition above mentioned be referred to the said Committee

Mr Livingston from the Committee of the Council appointed to meet a Committee of the General Assembly to conferron the Amendments made by the Council to the Bill Entituled, An Act for the frequent elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected Reported that they having met a Committee of the General Assembly at thetime and place for that Purpose appointed, The said Committee of

the General Assembly had by order of that House offered Reasons against their agreeing to the Amendments made to the said Bill Which being Read and the Question Put

Resolved, that the Council do adhere to their amendments

Ordered, that the Honourable Philip Livingston, James De Lancey and Daniel Horsmanden Esq^{rs} be a Committee to Draw up and Prepare in order to be laid before the Council an Answer to the Reasons offered by order of the General Assembly of the 1st Instant for their disagreeing to the amendments made to the said Bill

A Message from the General Assembly by David Jones Esq^r with the Bill Entitled, An Act to Restrain Tavern Keepers and Innholders from Selling Strong Liquors to Servants and apprentices and from giving large Credit to others Together with the Amendments made by the Council thereto That the General Assembly have agreed to the Amendments made to the Said Bill

Then the Council adjourned till to morrow morning at 11 o'clock

Thursday the 3^d November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEX, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

James De Lancey Esq^r from the Committee appointed to Draw up and Prepare, in order to be Laid before the Council, an answer to the reasons offered by Order of the General Assembly for the disagreeing to the Amendments made by the Council to the Bill Entitled, An Act for the frequent Election of Representatives to Serve in General Assembly and for the frequent meeting of the General Assembly so elected Reported that the Committee having duly weighed and Considered of the Reasons offered by Order of the General Assembly for their not Agreeing to the said Amendments had directed him to report their answer thereto which having been read and the Question Put the same was agreed to and approved of and

Ordered, that the same be Entered in the Minnits which is in the words following viz^t

The Council have desired this Conference upon the subject matter of the last Conference and have directed us to acquaint you that they do Agree that the City of New York is the usual and most Proper and Convenient place of meeting but that Notwithstanding they Cannot recede from their Amendment for the reasons following

1st Although the Council Concieve as the General Assembly That it ought not to be moved to any other Place without evident necessity Yet they think the restraint (as in the Bill unamended) improper and unnecessary because it Can scarce be imagined That the Assembly will at any time be removed from the City of New York but upon manifest and Cogent reasons as it would be very inconvenient not only to the Council and General Assembly but also to the Governour and would Doubtless occasion Difficulties which the Governour and Council would not willingly fall into

2^{dly} Because the Council think it sufficient as by the Amendment Proposed to restrain the Governour for the time being from removing the General Assembly to Any other Place otherwise that by the advice of Council which now they may do without it

Lastly That if the Council should recede from their Amendment objected to by the General Assembly, The Clause as it would then Stand would Scarcely be Sence and the Council are Unwilling to Lett any Impropriety Pass in a Bill of so publick a Nature

Wherefore the Council have Commanded us to Let you know that they Do adhere to their Amendments

By Order of the Committee
JAMES DE LANCEY

Then the Council adjourned till 3 o'clock in the After Noon

Thursday y^e 3^d of November, 1737. P. M.

The Council met according to adjournment

PRESENT — *The Honourable CADWALLADER COLDEN, Esq^r, Speaker,*

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council Resolved into a Committee on the two following Bills viz^t The Bill Entituled, An Act to Enable the Justices of the Peace in that part of Orange County Lying to the Northward of the Highlands to build a Court house and Goal in the said County of Goshan and

The Bill Entituled, An Act to divide Dutchess County into Precinets and to repeal the Act therein mentioned

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committe in his place Reported that they had gone through the Bill Entituled, An Act to Enable the Justices of the Peace in that part of Orange County Lying to the Northward of the high Lands to build a Court house and Goal in the said County at Goshen and had directed him to report the same without any amendments

Which Report on the Question being Put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

The Question being Put

Resolved, that the said Bill do pass

Ordered, that the Clerk do acquaint the General Assembly That the Council have past the said Bill without any amendments

M^r Horsmanden in his place further reported from the Committee that they had gone through the Bill Entituled, An Act to divide Dutchess County into Precinets and to repeal the Act therein mentioned and had made some amendments thereto

Ordered, that the amendments be read

Then the amendments were read and on the Question being put were agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time and

The Question being Put

Resolved, that the said Bill as amended do pass

Ordered, that M^r Horsmanden do carry the said Bill with the amendments made by the Council thereto to the General Assembly and desire their concurrence therewith

Ordered, that the Honourable James De Lancey Esq^r do acquaint the General Assembly that the Council desire a Present conference in the Court room on the subject matter of the last conference

A Message from the Assembly by M^r Le Counte that that House wo'd appoint a Committee to meet them in the Court room Immediately

Ordered, that the Honourable Philip Livingston, James De Laneey and Daniel Horsmanden Esq^{rs} be the managgers on the subject matter of the said Conference

The Council recieved a Message from the Assembly that Captⁿ Livingston, M^r Johannes Lott, Coll^o Mathews, Captⁿ Peter Winne, Coll^o Renslaer and M^r Brat were appointed a Committee to meet a Committee of the Council in the Court room according to the above request of the Council

Then the Council adjourned during pleasure and the manmadgers went into the said conference and being returned reported that they had been to the conference and Delivered the Reasons

Then the Council adjourned till to morrow morning at 11 o'clock

Fryday the 4th of November, 1737.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The amendments made by the Council to the two following Bills viz^t

The Bill Entituled, An Act to Restrain Tavern Keepers and Innholders from selling strong Liquors to Servants and Apprentices and from giving Large Credit to others and

The Bill Entituled, An Act to revive An Act Entituled, An Act for the better Preservation of Oysters and Power to make sale of the forfeitures therein mentioned

Having been agreed to by the General Assembly who desired the Council to amend the said two Bills accordingly

The said two Bills were accordingly amended in the Presence of the Council and the amendments affixed to each of the said Bills respectively

The amendments made by the Council to the Bill Entituled, An Act to divide Dutchess County into Precincts and to repeal the Act therein mentioned having been agreed to by the General Assembly who desired the Council to amend the said Bill accordingly

The said Bill was accordingly amended in the presence of the Council and the amendments affixed to the said Bill

A Message from the Assembly by Mr Ver Plank in the words following viz^t

Die Jovis 3^d November 1737

Ordered, that Mr Ver Plank do wait upon the Gentlemen of the Council and acquaint them that the Reasons assigned by them for adhering to their amendments to the Bill Entituled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected are not satisfactory and therefore desire a free conference upon the subject matter thereof and that the Council will be pleased to appoint time and place for the same

By order of the General Assembly
G LUDLOW Cl

Mr Ver Plank withdrawing and being called in was acquainted That the Council agreed to a free conference and appointed 4 o'clock on Monday afternoon in the Court Room

Ordered, that the same Gentlemen who were managers at the last conference be likewise managers at the free conference on Monday next

Then the Council adjourned til Monday next at 3 o'clock in the afternoon

Monday the 7th of November, 1737.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council being Informed that the General Assembly were come to a free conference

The Council adjourned during pleasure and the managers went to the free conference

Which being ended the Council was resumed and Mr De Lancey Reported that the managers had attended the free conference and had Insisted on their Reasons for the Councils adhering to their amendments with which the managers for the General Assembly seemed satisfied

Then the Council adjourned till to morrow morning at 11 o'clock

Tuesday the 8 of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning 11 o'clock

Wednesday the 9th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Mr Mott with the Bill Entituled, An Act for Establishing and Regulating Courts to Determine Causes of forty Shillings and under in this Colony Desiring the Concurrence of the Council thereto

Ordered, that the Said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entituled, An Act for Setling Establishing and Regulating the Fees of the several officers within this Colony Desiring the Concurrence of the Council thereto

Ordered, that the Said Bill be read the next Sitting

Then the Council adjourned till to morrow morning at 10 o'clock

Thursday the 10th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for Setling, Establishing and Regulating the Fees of the several Officers within this Colony was pursuant to order Read the first time and

Ordered a Second Reading

Then the Council adjourned till to morrow morning at 10 o'clock

Friday the 11 of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for establishing and Regulating Courts to determine Causes of Forty shillings and under in this Colony was read a Second time and Committed

The Bill Entituled, An Act for Setling Establishing and Regulating the fees of the several Officers within this Colony was read a Second time and Committed

A Message from the General Assembly by Simon Johnson Esq^r with the Bill Entituled, An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected together with the amendments made by the Council thereto That their House have agreed to the Amendments and requesting the Council to amend the said Bill accordingly

Then the said Bill was accordingly amended in the Presence of the Council and the amendments likewise affixed to the Bill

Then the Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 15th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Mr Ver Plank with the Bill Entituled, An Act for defraying the Comon and necessary Charge of the manner of Cortlandt in the County of Westchester Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned till to morrow morning at 11 o'clock

Wednesday the 16th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
PHILIP CORTLANDT, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 10 o'clock

Thursday the 17th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER GOLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 10 o'clock

Friday the 18th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for defraying the Comon and necessary Charge of the Manner of Cortlandt in the County of Westchester was read a second time and committed.

Then the Council Resolved into a Committee to consider of the said Bill

The Committee having duly weighed and considered of the same and being ready to make their Report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden in his place Reported that the Committee had gone through the said Bill and had directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the Council adjourned till Tuesday next at 11 o'clock in the morning

Tuesday the 22nd of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER GOLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for defraying the comon and necessary charge of the Manor of Cortlandt in the County of Westchester was read the third time and

The Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly therewith

A Message from the Assembly by James Alexander Esq^r with the Bill Entituled, An Act to Regulate the Elections of Representatives to serve in General Assembly Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Adolph Philipse Esq^r with the Bill Entituled, An Act to prevent the further Importation of Copper money into this Colony Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

Then the Council adjourned till to morrow morning 11 o'clock

Wednesday the 23^d of November, 1737.

The Council met according to adjournment.

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act to Regulate the Election of Representatives to serve in General Assembly Was read a second time and Committed. On the Comittment of which it is

Ordered, that it be an Instruction to the Committee to fashion the Bill as near as may be agreeable to the Laws of England

The Bill Entituled An Act to prevent the further Importation of Copper money into this Colony was read a second time and committed

Then the Council Resolved into a Committee to consider of the said Bill

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee in his place reported that the Committee had gone through the said Bill and had directed him to Report the same without any Amendments

Which report on the Question being Put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the Council adjourned till to morning at 11 o'clock

Thursday the 24th November, 1737.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council Resolved into a Committee to consider of the Bill Entituled, An Act for Establishing and Regulating Courts to Determine causes of Forty Shillings and under in this Colony

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee in his place reported that they had gone through the said Bill and made several amendments thereto

Ordered, that the said Amendments be read

Then the Amendments were read and on the Question being put the same were agreed to and approved of

Ordered, that the said Bill be read the third time as amended

Then the said Bill was read the third time accordingly

Resolved, on the Question being put that the said Bill as amended do pass

Ordered, that Mr Cortlandt do carry the said Bill with the Amendments made thereto to the General Assembly and desire their concurrence therewith

The Bill Entituled, An Act to Prevent the further Importation of Copper Money into this Colony was read the third time and

The Question being Put

Resolved, that the said Bill do pass

Ordered, that the Clerk do acquaint the General Assembly that the Council have past the said Bill without any amendments

Then the Council adjourned till to morrow morning at 10 o'clock

Fryday the 25th of November, 1737.

The Council met according to adjournment.

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,

JAMES DE LANCEY,

PHILIP CORTLANDT,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council went into a Committee to consider of the Bill Entituled, An Act to Regulate the Elections of Representatives to serve in General Assembly

And after some time spent therein

The Speaker resumed the Chair

Then the Council adjourned till Tuesday next at 11 o'clock in the morning

Tuesday the 29th November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,

ARCHABALD KENNEDY,

JAMES DE LANCEY,

PHILIP CORTLANDT,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Mr Mott with the Bill entitled, An Act for Establishing and Regulating Courts to Determine Causes of Forty shillings and under in this Colony together with the Amendments made by the Council thereto that their House have agreed to the said Amendments and requesting the Council to amend the said Bill accordingly

Then the said Bill was accordingly amended in the presence of the Council and the Amendments themselves likewise affixed to the Bill

A Message from the Assembly by Mr Turboss with the Bill Entituled, An Act for the better clearing and further laying out Publick High Roads in Dutchess County Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

Then the Council adjourned till to morrow morning 11 o'clock

Wednesday the 30th of November, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for the better Clearing and further laying out Publick high roads in Dutchess County was read a Second time and Committed

Then the Council Resolved into a Committee to Consider of the said Bill

The Committee having duely weighed and Considered of the same and being ready to make their Report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee in his place reported that the Committee had gone through the said Bill and had directed him to report the same without any Amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the Said Bill be read the third time

Then the Council adjourned till tomorrow morning at 10 o'clock

Thursday the 1st of December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Honourable Cadwallader Colden and Philip Livingston Esq^{rs} have leave to be absent their necessary affairs at Home requiring their Immediate attendance there

Ordered, that the Clerk of the Council do write a Letter to the Honourable Abraham Van Horne Esq^r acquainting him with the request of this Board that he do give his Immediate attendance thereat

The Bill Entituled, An Act for the better Clearing and further Laying out Publick high Roads in Dutchess County was read the third time and

The Question being putt

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly that the Council have passed the said Bill without any Amendments

M^r Horsmanden Chairman of the Committee to whom the Bill Entituled, An Act to Regulate the Elections of Representatives to serve in General Assembly &c in his place Reported that they had made some Progress therein and desired they might have leave to set again thereon

Then the Council adjourned till 3 o'clock in the Afternoon

Post Meridiem

The Council met according to adjournment

PRESENT — at Ante Meridiam

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 11 o'clock

Fryday the 2nd December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned til Tuesday next at 10 o'clock in the morning

Tuesday, the 6th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entitled, An Act for Lowering the Interest of money to Six ^p Cent Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was Read the first time and

Ordered a second Reading

A Message from the Assembly by Simon Johnson Esq^r in the words following

Die Vener 2 December 1737

Ordered, that Simon Johnson Esq^r do wait on the Council to know what Progress they have made in the Bill Intituled, An Act for Setling, establishing and Regulating the fees of the several officers within this Colony

By order of the General Assembly

G LUDLOW Clk.

On the delivery of which Message Mr Johnson was acquainted that the Council would return an Immediate Answer thereto, and being desired to wait for it, withdrew

The Council having considered of the said Message, agreed on the following Answer by them to be made thereto which being read and approved was ordered to be entered in the Minniits and is in the words following viz^t

That the Bill is under Committment, and the Council conceive it reasonable that when the fees of the several officers are to be regulated, the officers sho'd give an Account of their respective services, and the fees they now take for them, That the Council may Judge whether the fees are proportionable thereto Which with the multiplicity of other business will necessarily take up so much time that they are of opinion they shall not be able to go thro' it this Sessions

Mr Johnson being called in, The Speaker delivered him a copy of the above answer in writing

A Message from the Assembly by Captⁿ Winne with the Bill Entitled, An Act for the further Encouragement of a publick School in the City of New York for teaching Latin, Greek & Mathematicks Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time and

Ordered a second reading

A Message from the Assembly by Major Mott with the Bill Entitled, An Act for the Preservation of Oysters in this Colony at and near Staten Island Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and
On the Question being put for a second reading It is
Ordered, that the same be rejected
Then the Council adjourned to 3 o'clock in the afternoon

Post Meridiem

The Council met according to adjournment

PRESENT —

ut Ante Merid

The Council adjourned 'till to morrow morning 11 o'clock

Wednesday the 7th December, 1737.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DAN'L HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act for lowering the Interest of Money to Six $\frac{1}{2}$ cent was read a second time and committed

The Bill Entitled, An Act for the further Encouragement of a publick School in the City of New York for teaching Latin, Greek and Mathematicks was read a second time and committed

A Message from the Assembly by M^r Hardenburgh with the Bill Entitled, An Act to Enable the Justices of the Peace in Ulster County to defray the Charges of building a Court House and Goal for the said County and to enable them to finish the same and for the defraying of other charges therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the Bill was read the first time and

Ordered a second reading

M^r Horsmanden Chairman of the Committee to whom the Bill (Entitled, An Act to regulate the Elections of Representatives to Serve in the General Assembly and for repealing all former Acts relating thereto) was referred in his place reported That the Committee had gone through the said Bill and had made several amendments and added some clauses thereto

Ordered, that the Amendments and clauses be read

Which having been read and on the Question being Put agreed to and approved of

Ordered, that the said bill be read the third time as amended

Then the Council adjourned till to morrow morning at 10 o'clock

Thursday 8th Dec^r, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act to regulate the Elections of Representatives to Serve in the General Assembly and for Repealing all former Acts relating thereto was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that Mr Lane do carry the said Bill together with the amendments made by the Council thereto to the General Assembly and desire their concurrence therewith

Mr Horsmanden Chairman of the Committee to whom was Committed the two following Bills Viz^t

The Bill Entituled, An Act for Lowering the Interest of Money to Six P^{c} cent and The Bill Entituled, An Act for the further Encouragement of a Publick School in the City of New York for teaching Latin Greek and Mathematicks in his place reported that the Committee had gone through the Bill Entituled, An Act for Lowering the Interest of Money to Six P^{c} Cent and had made some amendments thereto

Ordered, that the amendments be read

Then the Amendments were read and on the Question being Put were agreed to and approved of

Ordered, that the Said Bill be read the third time as Amended

Mr Horsmanden in his place further reported from the Committee that they had gone through the Bill Entituled, An Act for the further Incouragement of a Publick School in the City of New York for teaching Latin, Greek and Mathematicks without any Amendments

Which report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

The Bill Entituled, An Act to Enable the Justices of the Peace in Ulster County to Defray the Charges of Building a Court House and Goal for the said County and to Enable them to finish the same and for the Defraying of other Charges therein mentioned, was read a second time & Comitted

The Council Resolved into a Committee to Consider of the said Bill

The Committee having duely weighed and Considered of the Same and being ready to make their report thereon when the Council wo'd please to relieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported That they had gone through the said Bill and had directed him to report the same without any Amendments

Which report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the Council adjourned till to morrow morning at 10 o'clock

Friday the 9th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Bill Entituled, An Act for Lowering the Interest of Money to Six Per Cent was read the third time as amended and on the Question being put

Resolved, that the said Bill do pass

Ordered, that Mr Horsmanden do Carry the said Bill with the Amendments made by the Council thereto to the General Assembly and desire their Concurrence therewith

The two following Bills viz^t The Bill Entituled, An Act for the further Incouragement of a Publick School in the City of New York for Teaching Lattin, Greek and Mathematicks and the Bill Entituled, An Act to Enable the Justices of the Peace in Ulster County to Defray the Charges of Building a Court house and Goal for the said County and to Enable them to finish the same and for the defraying of other Charges therein mentioned were read the third time and

On the Question being put

Resolved, that the said two Bills do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly That the Council have past the said two Bills without Any Amendments

A Message from the Assembly by David Jones Esq^r with the Bill Entituled, An Act for Confirming An Agreement and Exchange of Lands in the Township of Oysterbay formerly made between Sampson Hawxhurst and John Pratt deceased and securing those claiming under them or either of them in their possessions and also to secure those in their possessions who hold Certain other Lands in the said Township which were formerly conveyed to the said Sampson by his brother William Hawxhurst Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entitled, An Act for Lowering the Interest of Money to Six ¾ Cent Together with the Amendments made by the Council to the said Bill that that House have agreed to the Amendments and requesting the Council to amend the said Bill accordingly

Then the said Bill was accordingly amended in presence of the Council and the amendments themselves likewise affixed to the said Bill

Then the Council adjourned till to morrow morning at 11 o'clock

Saturday, 10th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker

ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN Esq

The Speaker assumed the Chair

The Bill Entitled, An Act for confirming an Agreement and Exchange of Lands in the Township of Oysterbay formerly made between Sampson Hawxhurst and John Pratt deceased and securing those claiming under them or either of them in their Possessions and also to secure those in their Possessions who hold certain other Lands in the said Township which were formerly conveyed to the said Sampson by his brother William Hawxhurst, was read a second time and committed

A Message from the Assembly by Col^o Schuyler with the Bill Entitled, An Act to defray the necessary and contingent charges of the Garrison of Oswego Repairing the same and for the better regulating the Furr Trade Desiring the concurrence of the Council thereto

Ordered, That the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by M^r Hardenburgh with the Bill entitled, An Act to restrain Hawkers and Pedlers within this Colony from selling without Lyeence Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Then the Council adjourned till Monday next at 11 o'clock

Munday, 12th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act to defray the necessary and contingent charges of the Garrison of Oswego Repairing the same and for the better regulating the furr Trade was read a second time and committed

The Bill Entitled, An Act to Restrain Hawkers and Pedlers within this Colony from selling without Lyeence was read a second time and committed

Then the Council resolved into a Committee to consider of the said two Bills

The Committee having duely weighed and considered of the said two Bills and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the said two Bills and had directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, That the said two Bills be read the third time

A Message from the Assembly by Capt Winne with the Bill Entituled, An Act for Naturalizing Gustaph Martin Rhuell and twenty two others Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned till 4 o'clock P. M.

Munday, 12 Decr, 1737. P. M.

The Council met according to adjournment

PRESENT — ut ante mered

The Speaker Assumed the Chair

The two following Bills viz: The Bill Entituled, An Act to Defray the necessary and contingent charges of the Garrison at Oswego Repairing the same and for the better regulating the Furr Trade and The Bill Entituled, An Act to restrain Hawkers and Pedlars within this Colony from selling without Lycence were read the third time

And on the Question being put

Resolved, that the said two Bills do pass

Ordered, that the Clerk of the Council do Acquaint the General Assembly that the Council have past the said two Bills without any amendments

Mr Horsmanden Chairman of the Committee to whom was committed the Bill Entituled, An Act for confirming an Agreement and Exchange of Lands in the Township of Oysterbay formerly made between Sampson Hawxhurst and John Pratt deceased and securing those claiming under them or either of them in their Possessions and also to secure those in their Possessions who hold certain other Lands in the said Township which were formerly conveyed to the said Sampson by his brother William Hawxhurst) in his place reported That the Committee had gone through the said Bill and had directed him to report the same without any amendments

Which Report on the question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do acquaint the General Assembly that the Council have past the said Bill without any amendments

The Bill Entituled, An Act for Naturalizing Gustaph Martin Rhuel and Twenty two others was read a second time and committed

Then the Council Resolved into a Committee to consider of the said Bill

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill and had directed him to Report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

A Message from the Assembly by Col^o Matthews with the Bill Entituled, An Act to Prevent Damages by Swine in the County of Orange and some parts of Ulster County and for repealing all other Acts Concerning the same within the said County of Orange Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

Then the Council adjourned till to morrow morning 10 o'clock

Tuesday, 13th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANGLEY,
PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act for Naturalizing Gustaph Martin Rhuel and Twenty two others Was read the third time and on the Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk of the Council do Acquaint the General Assembly that the Council have past the said Bill without Any Amendments

Ordered, that the Speaker of the Council have fourteen Shillings for each person mentioned in the above Act of Naturalization and the like fee on all Naturalization Bills hereafter to be brought to the Council for their Assent, for each Person in such Bill or Bills proposed to be Naturalized

The Bill Entitled, An Act to prevent Damages by Swine in the County of Orange and some parts of Ulster County and for repealing all other acts concerning the Same within the said County of Orange was Read a Second time and Committed

Then the Council resolved into a Committee to Consider of the said Bill

The Committee having duely Weighed and Considered of the same Bill and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill and had directed him to Report the Same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the Council adjourned till 4 o'clock P M

The Council met according to adjournment

PRESENT — ut ante merid

The Speaker assumed the Chair

The Bill Entitled, An Act to Prevent Damages by Swine in the County of Orange and some parts of Ulster County and for Repealing all other Acts Concerning the Same within the said County of Orange was read the third time and

On the Question being put

Resolved, that the Said Bill do pass

Ordered, that the Clerk do Acquaint the General Assembly that the Council have passed the said Bill without any Amendments

A Message from the Assembly by James Alexander Esq^r with the Bill Entitled, An Act for Emitting Bills of Creditt for the Payments of the Debts and for the better Support of the Government of this Colony and other Purposes therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by M^r Ver Plank with the Bill Entitled, An Act to facilitate and Explain the Duty of the Loan Officers in this Colony Desiring the concurrence of the Colony thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

Then the Council adjourned till Tomorrow morning 10 o'clock

Wednesday, 14th December, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER GOLDEN, Esq^r, Speaker,

ARCHABALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony, and other Purposes therein mentioned was read a second time and committed

The Bill Entituled, An Act to facilitate and Explain the Duty of the Loan Officers in this Colony was read a Second time and Committed

The Council Resolved into a Committee to consider of the said two Bills

The Committee having duely weighed and considered of the said two Bills and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, That the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the said two Bills and had directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said two Bills be read the third time

A Message from the Assembly by Adolph Philipse Esq^r with the Bill Entituled, An Act for Granting to his Majesty several Duties towards Supporting his Government in this Colony for one year at the time and in the manner therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned till 3 o'clock P. M.

Wednesday, 14th Dec^r, 1737. P. M.

The Council met according to adjournment

PRESENT — ut Ante Merid

The Speaker assumed the Chair

The two following Bills viz^t The Bill Entituled, An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein mentioned and The Bill Entituled, An Act to facilitate and Explain the Duty of the Loan Officers in this Colony were read the third time and

On the Question being put

Resolved, that the said two Bills do pass

Ordered, that Clerk do acquaint the General Assembly that the Council have past the said two Bills without any amendments

The Bill Entituled, An Act for Granting to his Majesty several Duties towards supporting his Government in this Colony for one year at the time and in the manner therein mentioned was read a second time and committed

Then the Council Resolved into a Committee to consider of the said Bill

The Committee having duely weighed and considered of the said Bill and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill and have directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

A Message from the Assembly by John Walter Esq^r with the Bill Entitled, An Act to Enable the Corporation of the City of New York to raise the sum of two hundred and fifty pounds for the uses therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was Read the first time and

Ordered, a second reading

A Message from the Assembly by Simon Johnson Esq^r with the Bill Entitled. An Act for the better Extinguishing fires that may happen within the City of New York Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

A Message from the Assembly by Coll^o Philipse with the Bill Entitled, An Act further to Encourage the Destroying of Wolves in the County of West Chester and to Repeal part of the Act therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned till to morrow morning 11 o'clock

Thursday, 15th Dec^r, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHABALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker resumed the Chair

The Bill Entitled, An Act for Granting to his Majesty several Dutys towards supporting his Government in th^s Colony for one year at the time and in the manner therein mentioned was read the third time

And on the Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk do acquaint the General Assembly that the Council have past the said Bill without any amendments

The Bill Entitled, An Act to Enable the Corporation of the City of New York to raise the sum of Two hundred and fifty Pounds for the uses therein mentioned was read a second time and committed

The Bill Entitled, An Act for the better Extinguishing fires that may happen within the City of New York was read a second time and committed

The Bill Entitled, An Act further to encourage the Destroying of Wolves in the County of West Chester and to repeal part of the Act therein mentioned was read a Second time and Committed

Then the Council Resolved into a Committee to Consider of the three last foregoing Bills

The Committee having duely weighed and Considered of the Same and being ready to make their Report thereon when the Council wo^d please to recieve the Same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said three Bills were referred in his place Reported that the Committee had gone through the said three Bills and had directed him to report the same without any Amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said three Bills be read the third time

A Message from the Assembly by M^r Mott with the Bill Entitled, An Act for the Preservation of Oysters at and near Richmond County in this Colony Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

A Message from the Assembly by M^r Jones with the Bill Entitled, An Act to Repeal so much of the Law of this Colony concerning Quakers as required them to Produce Certificates, Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read
 Then the said Bill was read the first time and
Ordered a Second Reading
 Then the Council adjourned till 3 o'clock P. M.

Thursday, 15th Dec^r, 1737. P. M.

The Council met according to adjournment

PRESENT — ut Ante Merid

The Speaker assumed the Chair

The three following Bills viz^t The Bill Entituled, An Act to Enable the Corporation of the City of New York to raise the sum of two hundred and fifty pounds for the uses therein mentioned. The Bill Entituled, An Act for the better Extinguishing fires that may happen within the City of New York, and the Bill Entituled, An Act further to Encourage the Destroying of Wolves in the County of Westchester and to repeal part of the Act therein mentioned were read the third time and

On the Question being Put

Resolved, that the said three Bills do pass

Ordered, that the Clerk do Acquaint the General Assembly that the Council have past the said three Bills without Any Amendments

The two following Bills viz^t The Bill Entituled, An Act for the Preservation of Oysters at and near Richmond County in this Colony and The Bill Entituled, An Act to Repeal so much of the Law of this Colony concerning Quakers as required them to Produce Certificates, were read a second time and committed

Then the Council Resolved into a Committee to consider of the two last foregoing Bills

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd please to recieve the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Cortlandt Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the said two Bills and had directed him to report the Same without Any Amendments

Which report on the Question being put was agreed to and approved of

Ordered, that the Bill Entituled, An Act for the Preservation of Oysters at and near Richmond County in this Colony be read the third time

And as to the Bill Entituled, An Act to repeal so much of the Law of this Colony concerning Quakers as required them to produce certificates

The Question was put

Whether the said Bill should be read the third time or not?

It was carried in the Negative and

Ordered, That the said Bill be rejected

The Chief Justice Declaring his Disassent thereto

Then the Council adjourned till to morrow morning at 10 o'clock

Friday, 16th Dec^r, 1737.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHABALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY.

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act for the Preservation of Oysters at and near Richmond County in this Colony was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Clerk do acquaint the General Assembly that the Council have past the said Bill without any amendments

Then the Council adjourned and went to the Court

His Honour having then sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance at the Council Chamber at the Court in order to their being present at His Honor's giving his Assent to the several Acts past this Session

The Assembly accordingly attended with their Speaker

Then his Honour in presence of the Council and of the General Assembly gave his Assent to the following Bills viz^t

1 An Act for the further continuing An Act entitled, An Act to Lett to farm the Excise of Strong Liquors retailed in this Colony for the time therein mentioned and for Declaring Shrub Liable to the same Dutys as Distilled Liquors

2 An Act for Naturalizing Johannes Lorentz Carstens

3 An Act for the further continuing An Act Entitled, An Act for Settling and Regulating the Militia in this Province and making the same usefull for the security and defence thereof and for repealing all other Acts relating to the same as likewise the several Acts whereby the same has been revived and continued

4 An Act to Revive An Act Entitled, An Act to Amend the Practice of the Law and to regulate the givin of Special Bail and to Explain part of the said Act

5 An Act to Revive An Act Entitled, An Act to Provide able Pilotts and to Establish their Pilotage between Sandy Hook and the Port of New York

6 An Act to Revive An Act Entitled, An Act for the better Preservation of Oysters and Power to make Sale of the forfeitures therein mentioned

7 An Act for the frequent Elections of Representatives to serve in General Assembly and for the frequent meeting of the General Assembly so elected

8 An Act to restrain Tavern Keepers and Innholders from Selling Strong Liquors to Servants and Apprentices and from givin Large Credit to others

9 An Act to divide Dutchess County into Precincts and to repeal the Act therein mentioned

10 An Act to enable the Justices of the Peace in that part of Orange County Lying to the Northward of the high Lands to Build a Court house and Goal for the said County at Goshan

11 An Act for Defraying the comon and Necessary charge of the Mannor of Conrtlandt in the County of Westchester

12 An Act to Prevent the further Importation of Copper money into this Colony

13 An Act for Establishing and Regulating Courts to Determine causes of Forty shillings and under in this Colony

14 An Act for the better clearing and further Laying out Publiek high Roads in Dutchess County

15 An Act farther to Encourage a Publiek School in the City of New York for Teaching Latin Greek & mathematicks

16 An Act to Enable the Justices of the Peace in Ulster County to defray the charges of Building a Court house and Goal for the said County and to Enable them to finish the same and for defraying of other charges therein mentioned

17 An Act for Lowering the Interest of money to seven Per Cent

18 An Act for confirming an Agreement and Exchange of Lands in the Township of Oysterbay formerly made between Sampson Hawxhurst and John Pratt deceased and securing those claiming under them or either of them in their Possessions and also to secure those in their Possessions who hold certain other Lands in the said Township which were formerly conveyed to the said Sampson by his Brother William Hawxhurst

19 An Act to Restrain Hawkers and Pedlars within this Colony from selling without Lyeence

20 An Act for Naturalizing Gustaph Martin Rmel and Twenty two others

21 An Act to Prevent Damages by Swine in the County of Orange and some parts of Ulster County and for repealing all former Acts concerning the same within the said County of Orange

22 An Act to Defray the necessary and contingent charges of the Garrison of Oswego repairing the same and for the better regulating the Furr Trade

23 An Act for Emitting Bills of Credit for the Payment of the Debts and for the Better Support of the Government of this Colony and other Purposes therein mentioned

24 An Act to facilitate and Explain the Duty of the Loan Officers in this Colony

25 An Act for Granting to his Majesty several Duties towards supporting his Government in this Colony for one year at the time and in the manner therein mentioned

26 An Act to Enable the Corporation of the City of New York to raise the sum of Two hundred and fifty pounds for the uses therein mentioned

27 An Act for the better Extinguishing fires that may happen within the City of New York

28 An Act further to Encourage the Destroying of Wolves in the County of West Chester and to repeal part of the Act therein mentioned

29 An Act for the Preservation of Oysters at and near Richmond County in this Colony

After which his Honour made a speech to the Gentlemen of the Council and of the General Assembly, and delivered one copy thereof to the Speaker of the Council, and another copy thereof to the Speaker of the General Assembly After which His Honor attended as usual went to the City Hall and then caused the several Acts aforesaid to be published

Then the Council returned to the Council Chamber at the City Hall and adjourned till 3 o'clock in the afternoon

Fryday, 16th Dec^r, 1737. P. M.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHABALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour's Speech having been Read was ordered to be Entered in the minutes and is in the words following

Gentlemen,

The Harmony that subsists between the several branches of the Legislature will I hope Establish an universal benevolence throughout the Province and put it in a more Prosperous and flourishing condition than it has yet known; That Event will compleat my utmost wishes as my highest aim has been to restore Tranquility to the Country, and to raise its head from the Drooping scituation it was lately in

Gentlemen of the Assembly

I Return you my thanks for the Regard which with Justice you have had to his Majestys Honour in makeing good the Deficiencies of the Revenue, and I promise my self that the same Duty and Loyalty with which you have now acted will at your next meeting Inspire you with Resolutions to give an Honourable and ample Revenue to his Majesty for the future Support of his Government Since the advanced Season of the year will not allow you time to do it now

Gentlemen,

I have now Given my Assent to such Bills as are ready for it, and I have done it with much chearfullness as I hope the Province will feel Happy Effects from them

GEO CLARKE

Ordered, that the same be forthwith printed by the Kings Printer

His Honour the Lieutenant Governour having directed the General Assembly to adjourn themselves to the first Tuesday in April

The Council therefore adjourned to the said first Tuesday in April

[IN EXECUTIVE SESSION]

April 4th, 1738

This being the day to which the General Assembly of this Province stood adjourned

Ordered, that the Deputy Clerk of the Council do go to the Gen^l Assembly Chamber in the City Hall to know if the House was met and if met to Acquaint them that His Honor requires their Immediate Attendance at the Council Chamber

The Clerk returning Acquainted the Board that the House was not met On which His Honor askt the opinion of the Gentlemen of the Council to what time they would advise him to Prorogue them. Who were of opinion and advised His Honor in case the General Assembly should not meet on this day that His Honor should prorogue them to the 1st *Tuesday* in *June* next, and if met to direct the Speaker of the said General Assembly to adjourn themselves to that day

April 5th 1738

His Honor having received a Message that the General Assembly were yesterday met and had adjourned themselves to this day

Ordered, that the Deputy Clerk of the Council do go to the House of Representatives and acquaint them that His Honor requires their Immediate Attendance at the Council Chamber

The Assembly Accordingly Attending with their Speaker

His Honor with the advice & consent of the Gentmⁿ of the Council prorogued them to the first *Tuesday* in *June* next and

Ordered, that a Proclamation issue notifying the same

[N. Y. Col. MSS., LXXII., 45]

BY THE HONOURABLE

GEORGE CLARKE Esq^r Lieutenant Governor and Commander in Chief of the Province of (t. s.) *New York* and the Territories thereon depending in *America* &c

A PROCLAMATION

WHEREAS the General Assembly of the province of New York stood adjourned unto this day And I having thought fitt for His Majesties Service to prorogue the Said General Assembly to the *first Tuesday* of *June* next Do hereby give publick Notification thereof That all Concerned may take Notice and govern themselves accordingly

Given under my hand and seal at Fort George in *New York* this *fifth* day of *April* in the Eleventh year of His Maties Reign Anno Dom 1738

GEO CLARKE

By his Honor's Command
FRED^k MORRIS D *Sécry*

Att a Session of the Council and General Assembly began at the City Hall in New York, on Tuesday the 6th day of June, 1738.

The General Assembly having stood adjourned to the 5th April last & by proclamation of that date being prorogued to this day

The Council met at the Council Chamber at the City Hall

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Clerk do wait on His Hon^r the Lieutenant Governor and acquaint him that the Council are met

The Clerk returning acquainted the Council he had waited upon his Hon^r with the foregoing Message

His Honor attended as usual being come to the Council Chamber in the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance at the Council Chamber in the City Hall

The Assembly accordingly attending with their Speaker, His Honor further prorogued them to the last Tuesday in August next

The Speaker having resumed the Chair The Council adjourned to the said Last Tuesday in August

[N. Y. Col. MSS., LXXII., 69.]

BY THE HONOURABLE

GEORGE CLARKE Esq^r Lieutenant Governor and Commander in Chief of the Province of (L. s.) *New York* and the Territoryes thereon depending &c

A PROCLAMATION

WHEREAS the Generall Assembly of the province of New York stood prorogued to the first Tuesday in June instant being the sixth day of this Instant June And whereas I have thought fitt for his Majesty's service further to prorogue the said Generall Assembly to the *last Tuesday* in *August* now next ensuing being the *twenty ninth* day of the said month of *August*, on which day the members of the said General Assembly are hereby required punctually to meet and attend, in order to proceed upon business, without any further notification, Of which I thought proper to give this publick Notice, that the members of the said General Assembly and all concerned may duely attend and govern themselves accordingly

Given under my hand and seal at ffort George in *New York* the *seventh* day of *June* in the Eleventh year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Britain, France and Ireland King Defender of the ffaith &c Annoq Dom 1738

GEO CLARKE

By his Honor's Command

FRED^k MORRIS D. *Secery*

TWENTY-FIRST ASSEMBLY SECOND SESSION.

All a Session of the Council and General Assembly began at the City Hall in New York, on Tuesday the 29th August, 1738.

The Council met at the Council Chamber at the City Hall

PRESENT— *The Hon^{ble}* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE, Esq^r.

The Speaker assumed the Chair

The General Assembly having pursuant to prorogation, met on this day, and adjourned themselves 'till fryday next

The Council therefore adjourned 'till fryday next at 11 o'clock in the morning

Fryday the 1st Septemb^r, 1738.

The Council met according to adjournment

PRESENT— *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
HENRY LANE, Esq^r.

The Speaker assumed the Chair

The Council adjourned till 4 clock in the afternoon

Fryday the 1st Septemb^r, 1738. P. M.

The Council met according to adjournment

PRESENT— *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE, Esq^r.

The Speaker assumed the Chair

Ordered, that the Deputy Clerk of the Council do write to all the absent members requiring their Immediate attendance at this Board

Then the Council adjourned 'till to morrow morning at 11 o'clock

Saturday the 2^d Septemb^r, 1738.

The Council met according to adjournment

PRESENT— *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE, Esq^r.

The Speaker assumed the Chair

The Council adjourned till Tuesday next at 10 o'clock in the morning

Tuesday the 5th September, 1738.

The Council met according to adjournment

PRESENT — *The Honorable* ABRAHAM VAN HORNE, Esq^r, Speaker,

ARCHIBALD KENNEDY,

HENRY LANE, Esq^r.

The Speaker assumed the Chair

His Honor the Lieutenant Governor being come into the Council Chamber sent a Message by Fred^k Morris Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker His Honor made a Speech and delivered a copy thereof to the Speaker of the Council, and another copy to the Speaker of the General Assembly, after which His Honor returned to the Court

Then the Speaker resumed the Chair

Ordered, that the Speech be read

Which having been read

Ordered, that the same be entered in the minnits and is in the words following viz^t

Gentlemen,

Since we last were together, we have had the most afflicting news of the Death of Her Majesty Queen Caroline, a Princess endow'd with so many Royal beneficent & aimable Virtues, that no distance of time can efface the Remembrance of them; Tho' your meeting together now gives a late opportunity of dutifully and gratefully declaring the sence, the People of this province have of their Irreparable Loss, I am confident none of his Majesty's most dutifull Subjects, who have made the earliest Declarations of their grief, are more Sincere in their Condolance with our most gracious Sovereign, on this ever to be lamented event

Gentlemen of the Assembly

You know that more than a year is now Expired without any Support of His Majesty's Government, in this Province, by a practice not warranted by the usage of former Assemblys, nor consonant to the grateful Returns which a dutiful people owe to the paternal & indulgent care and affection, that the King has on all occasions manifested in promoting the welfare of his people, and in Securing their Religious and Civil Rights and liberties; His Majesty Expects that you give a Revenue as large, and for as long a time, as former Assemblys have done

It appears by the Treasurer's Accounts, that the Bonds appropriated for Sinking the Bills of Credit Struck in the years 1714 & 1717, are now about Seventeen Thousand pounds deficient, Which Bond will expire next year

The Securing the Credit of your paper money deserves your Immediate consideration, As it is a matter of the Highest concern to the province, I will give my assent to An Act to Continue the Excise for Sinking of those Bills. when at the same time you give his Majesty As Ample a Revenue for Supporting His Government here; and for as long a time as former Assemblys have don; more than that cannot be expected from me, nor dare I give into As the paper money of this province receives its Currency and credit from the Authority of his Majesty's Government That credit cannot be supported without supporting the Government; They must go hand in hand

Gentlemen,

I must acquaint you that there is a standing Order of the plantation Board, that no person be heard there in support of Bills past in the plantations, unless he makes it appear that He be Agent for the Colony in whose behalf he Applies; Your Bills will be lyeable to be rejected upon the application of any other Colony who shall think themselves aggriev'd by any act past here, if no person be authorized to appear for you on such occasions; This lately was like to have been the case of the Tonnage Act past in the year 1734, and which may still be rejected, unless you appoint and furnish An Agent with sufficient reasons in Support of that Act, It is therefore necessary for you to have An Agent ready on all occasions to appear in behalf of the province

Gentlemen of the Assembly

I must recommend to you the finishing of the new fortifications, that they may in all events be in a Condition of Defence, and to repair that part of the Barracks in the Fort which were left unrepair'd, when the others were repaired

I must likewise recommend to you the payment of those persons whom I sent to reside in the Sinnekes Country, to keep the Indian Nations steady in their fidelity to this Government, I

mean the payment of those who have resided twelve months there, as well as of the others that are now sent upon the Same Service for the present year

Gentlemen,

In the last place I recōmend to you Unanimity and Harmony, in dispatching those things, which your Duty to your King and Country requires of you

GEO CLARKE

New York Sep^r 5th 1738

Ordered, that his Honor's Speech be taken into Consideration at their next meeting
The Council adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 12th Septemb^r, 1738.

The Council met according to adjournment

PRESENT— *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that His Honor's Speech be taken into consideration on Thursday next
Then the Council adjourned till Thursday next at 10 o'clock in the morning

Thursday the 14th Septemb^r, 1738.

The Council met according to adjournment

PRESENT— *The Honorable* ABRAHAM VAN HORNE, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A Message from the Assembly by Captain Livingston and Captain Winne in the words following viz^t

Dic Jovis 7th Sept^r 1738

Ordered, that Adolph Philipse Esq^r James Alexander Esq^r, John Walter Esq^r, Simon Johnson Esq^r, David Jones Esq^r and Coll^o Isaac Hicks be a Committee of the House to prepare An Address of Condolence to his Majesty on the ever to be lamented event of the Death of Her late Majesty Queen Caroline, and that His Honour the Lieutenant Governor and the Council be requested to join therein

Ordered, that Captain Livingston and Captain Winne do acquaint the Council with the said Resolution and desire their concurrence in the said address, and that they would appoint a Committee to meet and join with the said Committee of the House, in order to prepare the said Address at such time and place as they shall be pleased to appoint

G LUDLOW Cl

Which being read

Ordered, that the Honorable Archibald Kennedy, Henry Lane and Daniel Horsmanden Esq^r be a Committee to join a Committee of the Members of the General Assembly to prepare an Address to His Majesty on the subject matter of the said Message

Ordered, that the Honorable Daniel Horsmanden Esq^r do acquaint the General Assembly that the Council have appointed the Hon^{ble} Archibald Kennedy and Henry Lane Esq^r and himself the said Daniel Horsmanden to be a Committee to join a Committee of the General Assembly in order to prepare an address of condolence to his Majesty on the Death of the late Queen and for that purpose have appointed Tuesday next at 4 o'clock in the afternoon to meet in the Publick Library Room in the City Hall

Ordered, that His Honor's Speech be taken into consideration at the next meeting

A Message from the General Assembly by Captain Livingston for Captain Arent Bratt with the Bill Entitled, An Act to revive An Act Entitled, An Act to empower the Justices of the peace of the County of Albany living or dwelling in the Township of Schanegtade in the said County to regulate the Streets and Highways, and to prevent accidents by fire in the said Town Desiring the concurrence of the Council thereto (Captain Arent Bratt who was ordered to bring in the said Bill being indisposed.)

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the General Assembly by David Jones Esq^r with the Bill Entitled, An Act for the further continuing An Act Entitled, An Act for the encouraging of Whaling Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

Then the Council adjourned till Tuesday next at 3 o'clock in the afternoon

Tuesday the 19th of Septemb^r, 1738.

The Council met

PRESENT — *The Honorable* HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

Thursday the 21st Septemb^r, 1738.

The Council met

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieutenant Governor being come to the Council Chamber at the City Hall sent a message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate Attendance

The General Assembly accordingly attending with their Speaker His Honor thought fitt to direct them to adjourn themselves to the 5th day of October next After which His Honour returned to the Fort

Then the Speaker resumed the Chair

The General Assembly being directed to adjourn themselves to the 5th day of October next The Council therefore adjourned to the said fifth day of October next

Thursday the 5th October, 1738.

The Council met according to Adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 10th October, 1738.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Mr Horsmanden Chairman of the Committee appointed to meet a Committee of the General Assembly in order to prepare an Address of Condolence to His Majesty on the Death of the late Queen laid before the Board a Draught of the Address which having been read was approved of

A Message from the General Assembly by Adolph Philipse Esq^r in the words following viz^t

Die Lunæ 9th October 1738

Ordered, that Adolph Philipse Esq^r Acquaint the Council that the Draught of An Address of Condolence to His Majesty on the Death of the late Queen is approved of by the House and that when the said Draught is Engross'd and Signed by the Lieutenant Governor and the Council, the members of this House will also sign the same

G LUDLOW Clerk

Which having been read

Ordered, that the Hon^{ble} Dan^l Horsmanden Esq^r do wait upon His Honour with a Copy of the said Address and desire his approbation and Concurrence therewith

The Bill entitled, An Act to revive An Act entitled, An Act to empower the Justices of the peace of the County of Albany living or dwelling in the Township of Schenectady in the said County to regulate the Streets and Highways and to prevent Accidents by fire in the said Town was read a Second time and Committed

The Bill entitled, An Act for the further Continuing An Act entitled, An Act for the Encouraging of Whaling was read a Second time and Committed

A Message from the Assembly by Coll Matthews with the Bill entitled, An Act to regulate the militia in this Colony, for the Security and defence thereof Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the Said Bill was read the first time

Ordered a 2^d reading

A Message from the Assembly by Coll Isaac Hicks with the Bill entitled, An Act to encourage the destroying of Wild Catts in Kings County Queens County and Suffolk County Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a second reading

A Message from the Assembly by David Jones Esq^r with the Bill Entitled, An Act to revive An Act entitled, An Act to prevent Swine running at Large in the City and County of New York, the County of Westchester, Queens County, Kings County and Richmond County Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

The Council adjourned 'till to morrow morning 11 o'clock

Wednesday the 11th October, 1738.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Mr Horsmanden Reported that he had pursuant to order waited upon His Honour with the Address of Condolence to his Majesty and that he approved thereof

Ordered, that the Address be ingross'd which is in the words following viz^t

To the KING's Most Excellent MAJESTY

The Humble Address of the Lieutenant Governor, the Council and the General Assembly of the Colony of *New York* in America

Most Gracious Sovereign,

We your Majesty's most Dutifull and Loyal Subjects, The Lieutenant Governour, the Council and General Assembly of your Majesty's Colony of New York in America, beg leave with the greatest Humility to take this first opportunity of declaring the deep sense that your Majesty's subjects of this remote part of your Dominions, have of the Irreparable Loss sustained by your Majesty and your People in the Death of our late most Gracious Queen and with hearts most sensibly afflicted humbly beseech your Majesty to admit our sincere Condolence with the rest of your Majesty's subjects on this sad and melancholly occasion

To speak the just Praise of that most excellent Princess is a Task we must acknowledge our selves very unequal to. The Fame of Her Majesty's Transcendent Excellence in the most aimable and distinguishing Qualities in every Relation she stood in; As it has been universal, will transmitt a Pattern of Royal Virtues to all succeeding Generations: As difficult is it for us to express our real sorrows and afflictions on this ever to be lamented Event, a Loss unspeakable of which no distance of time can efface the Remembrance

That Heaven may guard your sacred person and alleviate your Majesty's Grief on this solemn and lamentable occasion and long preserve a Life Invaluable to your people is the sincere prayer of

Your Majesty's

Most Dutiful & Loyal Subjects

His Honour being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker His Honour was pleased to prorogue the General Assembly 'till to morrow

On His Honour's returning to the Fort The Speaker resumed the Chair

Then the Council adjourned 'till to morrow at 11 o'clock in the morning

Thursday the 12th Oct^r, 1738.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow morning 11 o'clock

Fryday the 13th Oct^r, 1738.

The Council met according to adjournment

PRE. ENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker His Honour made a Speech and delivered a copy thereof to the Speaker of the Council and another copy to the Speaker of the General Assembly

After which His Honour returned to the Fort

Then the Speaker resumed the Chair

Ordered, that the Speech be read.

Which having been read

Ordered, that the same be entered in the minnits and is in the words following viz^t

Gentlemen,

Having in my Speech of the 5th of last month, recommended to you those things that I thought necessary to be done by you this Fall, I now referr you to what I then said, Since that time I have received Information that the french intend Speedily to make some Settlements at or near the Wood Creek It is your Interest to defeat their Designs by the most speedy and effectual meanes, which I think can only be done by your enabling me to build a fort there, and by encouraging some people to settle in that part of the country, There are several now in this Town who lately arrived from North Britain willing to settle with their familys at the Wood Creek, but being poor are unable to do it, without some assistance. I therefore recommend to you to provide for their Support, 'till by their Labour they may be able to maintain themselves, upon such encouragement I have a fair prospect of seeing many more familys imported hither from that Country to settle at the same place

I am like wise informed that several Sachims of the Senneca's are gone to Quebeck, to treat with the Governor of Canada, as it is apprehended, about admitting the french to settle at Tierondequat in their Country; If this be done there's an end of the Oswego Trade, for the french may stop allmost every Canoe in their voyage to Oswego, and will without doubt in time become Masters of all the Six Nations, The consequences whereof are but two obvious, I am perswaded that this may yet be prevented and the Sinnecas brought to give us the possession of Tierondequat for a small consideration; If it be tendered to them, before the french are actually possest of the place It is a thing of High Importance and requires your present aid

GEO CLARKE

October 13th 1738

Ordered, that His Honour's speech be taken into consideration at the next meeting
The Council adjourned 'till Monday next at 11 o'clock in the morning

Monday the 16th October, 1738.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Mr Horsmanden presented to the Board a Bill Entitled, An Act to regulate the Militia of this Colony for the security and defence thereof

Which was ordered to be read

Then the said Bill was read the first time and

Ordered a second reading

His Honor the Lieutenant Governor having on the 11th Instant prorogued the General Assembly to the day following

Ordered, that the several Bills which before that time were read in Council, be sent back to the General Assembly if they request it The Titles whereof are as follows viz^t

An Act to revive An Act entitled, An Act to empower the Justices of the peace of the County of Albany living or dwelling in the Township of Schenectady in the said County to regulate the streets and Highways and to prevent accidents by fire in the said Town

An Act for the further continuing An Act entitled, An Act for the encouraging of Whaling

An Act to encourage the Destroying of Wild Cats in Kings County Queens County and Suffolk County

An Act to revive An Act entitled, An Act to prevent Swine running at large in the City and County of New York, the County of West Chester, Queens County, Kings County & Richmond County

Mr Livingston moved for leave to be absent his affaires requiring his attendance at Home

Ordered, that he have leave to be absent accordingly

Then the Council adjourned 'till Wednesday next at 11 o'clock in the morning

Wednesday the 18th October, 1738

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to regulate the Militia of this Colony for the security and defence thereof was read a second time and committed

A Message from the General Assembly by Mr Johnson and Mr Jones in the words following viz^t

*Die Jovis 12th October 1738 **

The House conceiving it highly necessary to regulate the fees of the several officers of this Colony

Ordered, that Mr Johnson and Mr Jones wait upon the Council and desire they will be pleased to appoint a Committee of their Board to join a Committee of this House in order to prepare a Bill for regulating ascertaining and Establishing the fees of the several officers within this Colony

G LUDLOW Cl

Ordered, that the subject matter of the said Message be taken into consideration at some future meeting

The Council adjourned 'till to morrow morning 11 o'clock

Thursday the 19th October, 1738.

The Council met according to adjournment

PRESENT— *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned 'till to morrow morning 11 o'clock

Fryday the 20th October, 1738.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE, Esq^r.

His Honour the Lieutenant Governor being Come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate Attendance

The General Assembly accordingly attending with their Speaker His Honour was pleased to dissolve them after having first made a Speech to them in the words following viz^t

Gentlemen,

When you came together this Fall, I was not without hopes that you brought with you hearty dispositions to consult the true Interest of your Country which can only be attained by a Loyall and Dutifull regard to his Majesty's Honor in the support of his Government, since it is from thence only that you can hope for my assent to such Laws as the people whom you represent, expect you will prepare for it

You cannot but know, that there are many things of great Importance to the province that called for your early help for I recommended them to your Consideration; on some of them the wellfare (I was going to say the fate) of your Country in a great measure depends, but how unconcerned you have been about them, the people whom you represent will see by your votes

Ever since the Revolution, (the Æra from whence we may date our present Happiness in the full enjoyment of our civil and sacred Rights and Liberties) the Assemblies of this province have from time to time given to his Majesty and his Royall Predecessors a Revenue for the support of Government for a Term of years. What I ask of you is no more; other Assemblies prompted only by their Duty and their Zeal and affection to his Majesty and his Royall Predecessors, have given such a Revenue as I have mentioned; but you had besides these other Inducements to do it.

You have a large sum of paper money subsisting which will be next year without any fond to sink it, its Curreney will cease, it will no longer pass but become waste paper and hundreds of people will then be losers by it for it will probably be in so many hands I offered to continue the Sinking Fond if you would give such a Revenue as former Assemblies have all along given nor was there anything new or unreasonable in the Demand The Example of former Assemblies, your Duty to his Majesty and Gratitude for his Constant protection of your Trade and Country both by Land and Sea, at a vast Expençe (the fruits whereof you reap) ought to have Determined you to accept of my Offer But instead of Expressing your Gratitude and Duty by Supporting his Majesties Government as former Assemblies have done You sent yesterday two of your members to Acquaint me that it was Unanimously Resolved by your House, not to pass any Bill for the Grant of money for the support of Government but with Assurance that the Bills Struck and Issued in the years 1714 and 1717 As also the Excise Act should be continued from the first day of November 1739 for a sufficient number of years to Cancel and destroy them Bills

I see too in your votes of yesterday in the afternoon a Resolve of your House in the following words (to wit)

Resolved, that in the Bill ordered to be brought in for the further Supporting this Government until the 31st day of December which will be in the year 1739 and for paying the Sallaries and allowances in the year 1737 there shall be added one or more clauses to continue the Act Entituled, An Act for Laying An Excise on all Strong Liquors retailed in this Colony past in the twelfth year of her Late Majesty Queen Anne from the first day of November 1739 for such number of years as the House shou'd conceive sufficient to Sink and Cancel the Bills of Credit which were Struck and Issued by virtue of the two Acts commonly called the Long Bills passed in the years 1714 & 1717 And that the money to Arise by the Excise to be so Continued shall be applyed for Sinking & Cancelling the Said Bills, and that the Said Bills shall remain current during the time the Said Excise is now intended to be continued.

On this Resolve you Ordered that the Committee appointed to prepare the Bill first mentioned do add proper clauses therein for the purposes mentioned in the foregoing resolution These are such presumptuous, daring and unpresidented steps that I can'd not look upon them without astonishment, nor with Honor Suffer you to Sit any Longer I have therefore thought fit with the Unanimous advice of his Majesties Council to DISOLVE you and you are accordingly DISOLVED.

TWENTY-SECOND ASSEMBLY FIRST SESSION.

At a Session of the Council & General Assembly begun at the City Hall, in New York, on Tuesday, the 27th day of March, 1739.

His Honour the Lieutenant Governor having on the 20th of October last dissolved the late General Assembly and Writts having been issued for chusing a new one to meet on this day
The Council met at the Council Chamber in the City Hall

PRESENT — *The Honourable* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honour attended as usual being come to the Council Chamber in the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly, that His Honour required their immediate attendance in order to be sworn

Fourteen of the members accordingly attended & were sworn After which His Honour desired them to return to their House to chuse a Speaker and present him to His Honour for his approbation

Then Col Beekman and Cap^t Winne brought a Message from the Assembly that they had elected a Speaker and were ready to wait upon His Honour when he pleased

To which His Honour said, immediately

Then the House waited upon His Honour and presented to him Adolph Philipse Esq^r as their Speaker, whom His Honor approved of

Then His Honour made a speech to the Council and General Assembly and delivered one Copy thereof to the Speaker of the Council & another Copy to the Speaker of the General Assembly After which His Honour returned to the Fort

Then the Speaker resumed the Chair

Ordered, that the Speech be read

Which having been read was ordered to be entred in the Minutes, and is in the words following viz^t

Gentlemen,

I take this first opportunity to congratulate you on the Birth of a Prince of His Majesty's Royal and illustrious House, an Event propitious to the Protestant World in General, and more Especially to all his Majesty's Dominions

Gentlemen of the Assembly

I issued writts for the Election of this Assembly, & for their meeting so soon as the season of the year would admit of it. there being many things that require your early attention; and I hope you have brought with you Dispositions equal to your abilities, to consult his Majesty's Honor, and the true Interest of the People whom you represent, which are so linked together, that they cannot be separated without evident Injury to the Country. Your Duty and allegiance exact the first, and the other is expected from you by the People. You have besides these obligations, many other that ought to excite your Gratitude to the best of Kings. Your Trade and navigation are secured by a Guard ship, your Frontiers and Settlements by a Land Force, which are maintained at a great Expence to England, while you reap the Benefit of his Majesty's Bounty and Goodness, both in the protection they give you, and in the large sums of money that they expend yearly among you; You are happy in the full enjoyment of your sacred and civil Rights and Liberties; in a word, you are possess of all those inestimable Blessings that are peculiar to Englishmen, and which the People of other Countries would purchase at the expence of all they are worth. Being in this Happy situation, it ought to be your principal Care to show your Gratitude in supporting His Majesty's Government, by which you are protected in the enjoyment of those Felicities. Look up then to the great Example of a British Parliament who express their Duty, their Zeal and Affection to His Majesty by devoting their first Councils to His service, in giving him an honourable Revenue. Do you so likewise, and then you may with confidence, hope for the continuance of his Royal Favour in all Things reasonable, the surest means to make you a Flourishing People

There is now a long arrear due for the Support of Government, the yearly amount whereof you well know. I therefore earnestly recommend it to you, to make speedily and ample Provision for the Payment of it, and give to his Majesty, for such Term of years as former Assemblys have done before you, an ample and Honourable Revenue for the future Support of his Government, which his Majesty expects from you. Former Assemblys have done this ever since the Happy Revolution, and some of them at a time when the Province was far less Populous; when your Trade was much inferior to what it now is, and when a Detachment of the Militia was yearly sent to Albany, at a large Expence to the Colony, to defend the Frontiers against the French, with whom we were then at War; a situation widely different from the happy Peaceful state wherein you now are, and which I hope you will long enjoy, by the powerful influences of his Majesty's just and steady measures, guided by the most consummate wisdom.

The Fort in the Mohawks Country, and one part of the Barracks in Fort George will tumble down if they be not Speedily Repaired, I therefore Recommend it to you to make effectual Provision for those Purposes; your own Interest requires it as it will be much less Expence to Repair than to Rebuild them

I have again sent some persons to reside in the Sinneca's Country this year, to defeat the Attempts of the French, who are always industrious to alienate the affections of the Indians from us; and I make no doubt (if you will enable me) of obtaining from the Sinneca's some Land at Tierondequat sufficient to erect a Fort on, and to raise Provisions to victual a Garrison, which will be of great use in that place both in Securing your Furr Trade, and the Fidelity of the Six Nations; and as they are matters of great importance to you, they require your present attention

This is the year that the Six Nations expect of course to meet me at Albany; but as the late Assembly neglected to give the usual sums of money for that service, I recommend it to you. I for my part will be ready to meet them there, if you enable me, and I hope you will do it in time, least a disappointment of their expectations should shake their Fidelity to his Majesty, the consequences whereof may prove fatal to the Province

The peopleing of that part of the Country to the Northward of Sarachotoga will be of great advantage to the Province, as well in Strengthening the Frontier, as in enlarging your Trade: several Familys arrived here the last Fall from North Britain who are willing to settle there, and more are expected from thence this year, but as they are poor they will want some help to enable them to subsist their Familys until by their Labour they can raise Provisions to subsist themselves, and I am persuaded that you will give them some needfull assistance

Gentlemen,

I have received his Majesty's disapprobation of the Act of Assembly past in the year 1737 for the frequent Election of Representatives to serve in General Assembly, and for the frequent meeting of the General Assembly so elected, a copy whereof I have ordered to be laid before you, that it may be entered in your Journals.

The Act pass'd in the year 1699 for the regulating and returning able and sufficient Jurors being expired, I recommend it to you to pass a Bill for the like purpose, and that it may be more effectual, you will do well to consult the Laws of England on that Head, and to make it as agreeable thereto as the circumstances of the Province will admit of, such a Law will be of great advantage to the Province in guarding and fencing the Lives, Libertys and Propertys of the People from the dangers that may otherwise threaten them, and such a Law too ought to be perpetual

Gentlemen of the Assembly,

The making good the deficiencies of the Revenue and giving a future support for a Term of years, require at this time your most serious consideration, as the tranquility and Prosperity of the Province do in the highest Degree depend thereon, nor is your own Reputation or Honour less concerned therein, since your Actions, not words, must be the measure of your Zeal and Affection, to his Majesty's Person & Government you have now an opportunity to show that your Zeal & Affection are nothing short of that which former Assemblys have manifested on the like occasions; you will thereby too have opportunitys to Establish a perfect and lasting harmony in the Province and to gain the applause of every well-wisher to the Country, by passing such Bills as may Conduce to make you an Opulent people: Do you what is incumbent on you and you will find me ready to assent to such Bills as are not inconsistent with his Majesty's Honour and my Duty

GEORGE CLARKE

March 27th 1739

Then the Council adjourned 'till to morrow morning at 11 o'clock

Wednesday the 28th March, 1739.

The Council met according to adjournment

PRESENT — *The Hon^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council then adjourned 'till to morrow morning 11 o'clock

Thursday the 29th March, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that His Honours Speech be taken into consideration on Tuesday next

The Council then adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 3^d April, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

Ordered, that His Honours speech be taken into consideration on Fryday next

The Council then adjourned 'till Fryday next at 11 o'clock in the morning.

Fryday, April the 6th, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

M^r Horsmanden made a motion to address His Honour to thank him for his Speech and to assure him of the Rediness of the Council to concur in all measures for promoting his Majesties Interest and the Welfare and Prosperity of the Province

Ordered, that M^r De Lancey, M^r Horsmanden and M^r Cortlandt be a Committee to prepare the Adress and to lay it before this Board for their approbation thereof.

Then the Council adjourned 'Till Monday morning next at 10 o'clock

Monday the 9th April, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Mr Horsman ten from the Committee appointed to Prepare An Address to His Honour Brought in the Address

Ordered, that the Address be read

Which having been Read was Agreed to and

Nrdered to be engrosed

The Engrossed Address was read and agreed to which is in the words following

To the Honourable GEORGE CLARKE Esq^r Lieutenant Governour and Commander in Chief of the Province of *New York* and Territories thereon depending &c

The Humble ADDRESS of the members of his Majesties Council for the said Province

May it Please your Honour,

We the members of his Majesties Council beg Leave to Return our thanks for your Honours Speech and to congratulate with you on the Birth of a Prince of his Majesties Royal and Illustrious House, an Event Propitious to the Protestant Interest in general and more E-pecially to his Majesties Dominions

Your Honours recommendation for Passing a Law for the Regulating and Returning able and sufficient Jurors is very seasonable and the matter itself absolutely necessary. We are sensible of the advantages which must arise from such a Law, which being duly digested and built upon the Plan of the English Laws, as agreeably thereto as the circumstances of this Country will admitt o^r, the People of this Province will Reap the Fruits of a Permanent security for their Lives, Liberties and Properties, flor we are of opinion with your Honour such an Act should be Perpetual

We assure you, Sir, we shall most Redily and Chearfully concur in all measures for the advancement of his Majesties Honour and Interest in this Government and the welfare and Prosperity of the Province

Ordered, That the Speaker sign the same on Behalf of the Council

Ordered, that Mr Lane and Mr Hórsmanden do wait upon his Honour to know when he will be pleased to have the Council attend him with their Address

Mr Lane and Mr Horsmanden being Returned Reported That they had waited on His Honour and that he was ready to recieve the Council Immediately

Then the Council accordingly waited on his Honour and Presented him their address To which his Honour was Pleased to Return the following Auswer

Gentlemen

I thank you for this Address I am fully persuaded of your zeal for his Majesties Honour and service and for the welfare and prosperity of the Province and assure myself of your Best Assistance and Hearty Endeavours for both on all occasions

Ordered, that the Address with his Honours Answer thereto be forthwith Printed

Then the Council adjourned 'till Thursday next at 11 o'clock in the morning

Thursday the 12th April, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* ABRAHAM VAN HORNE, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll^o Philipse with the Bill Entituled, An Act to Revive An Act Entituled, An Act to Prevent Swine from running at Large in the City and County of New York, the County of Westchester, Queens County, Kings County and Richmond County Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll^o Schuyler with the Bill Entituled, An Act for Reviving An Act Entituled, An Act for granting to his Majesty several Duties towards supporting his Government in this Colony for one year at the time and in the manner therein mentioned with some alterations thereto Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

Then the Council adjourned to 5 o'clock P. M.

Thursday, 12th April, 1739. P. M

The Council mett according to adjournment

PRESENT — *The Honourable* ABRAHAM VAN HORNE, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entituled, An Act to Revive An Act Entituled, An Act to Prevent Swine from running at large in the City and County of New York, the County of Westchester, Queens County, Kings County and Richmond County was read the second time and committed and

The Bill Entituled, An Act for Reviving An Act Entituled, An Act for granting to his Majesty several Duties towards Supporting his Government in this Colony for one year at the time and in the manner therein mentioned with some alterations thereto was read the second time and committed

Then the Council Resolved into a Committee to consider of the said two Bills

The Committee having duly weighed and considered of the same and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r De Lancey Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the said two Bills and had directed him to Report the same without any Amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said two Bills be read the third time

Ordered, that in regard there are but five of the Members of the Council now in Town, and that M^r Van Horne who is often ailing and not always able to attend In case he should not attend that the Speaker with any three of the members be empowered to finish the business now Depending before them

Then the Council adjourned 'till to morrow morning at 10 o'clock

Fryday the 13th April, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The two following Bills viz^t The Bill Entituled, An Act to Revive An Act Entituled, An Act to Prevent Swine from Running at large in the City and County of New York, the County of Westchester, Queens County, Kings County and Richmond County and the Bill Entituled, An Act for reviving An Act Entituled, An Act for Granting to his Majesty Several Duties towards Supporting his Government in this Colony for one year at the time and in the manner therein mentioned with some alterations thereto were read the third time and

On the Question being put

Resolved, that the said two Bills do pass

Ordered, that the Deputy Clerk of the Council do acquaint the General Assembly therewith
Then the Council adjourned 'till tomorrow morning at 10 o'clock

Saturday the 14th April, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieutenant Governour being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance in order to their being Present at his Honours giving his Assent to the two Bills past this Sessions

The General Assembly accordingly attended with their Speaker

Then his Honour in presence of the Council and of the General Assembly gave his Assent to the two following Bills viz^t

The Bill Entituled, An Act to Revive An Act Entituled, An Act to prevent Swine from Running at Large in the City and County of New York, the County of Westchester, Queens County, Kings County and Richmond County. And

The Bill Entituled, An Act reviving An Act Entituled, An Act for granting to his Majesty several Duties towards supporting his Government in this Colony for one year at the time and in the manner therein mentioned with some alterations thereto

After which his Honour attended as usual caused the said two Bills to be Published at the City Hall

Then the Council Returned to the Council Chamber

PRESENT as before

The Speaker resumed the Chair

Ordered, that the minutes of this Session be perused and settled by M^r De Lancey and M^r Horsmanden before they are Entred

The General Assembly haveing had the Governours Leave to adjourn themselves to the fourth Tuesday in August next

The Council therefore adjourned to the said fourth Tuesday in August next

TWENTY-SECOND ASSEMBLY SECOND SESSION.

Att a Session of the Council and General Assembly began at the City Hall in New York, on Tuesday, the 28th Aug^t, 1739.

The General Assembly having been adjourned to this day
The Council met at the Council Chamber in the City Hall

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow morning at 10 o'clock

Wednesday the 29th Aug^t, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour attended as usual being come to the Council Chamber in the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance

The General Assembly accordingly attending with their Speaker

His Honour made a speech to the Council and General Assembly and delivered one copy thereof to the Speaker of the Council and another copy to the Speaker of the General Assembly after which His Honour returned to the Fort

Then the Speaker resumed the Chair

Ordered, that the Speech be read

Which having been read

Ordered, that the same be entered in the minnits and is in the words following viz^t

Gentlemen,

Att the opening of this Session I recommended to you many things of High Importance to His Majesties Honour and service, and the true Interest of the Province, which I hope you will now most seriously consider, and at the same time provide for the finishing of the Battery in this City, that before it be too late it may be put in such a condition as may secure you from the attempts of an Enemy The Mohawks are very uneasy that Fort Hunter has been so much neglected, and if it be not out of Hand rebuilt or repaired I fear they may take a resolution to leave their Country and go to Canada

As my thoughts are allways employed to make this a more flourishing Country I have reflected on the Decay of Ship Building, which for many years has been much regretted but little attempted to be retrieved

Nature has been very bountiful in giving you in a better measure than to your neighbours all things necessary for so beneficial a Branch of Trade, beneficial to all Degrees of men, and yet almost wholly unthought of or neglected. I am not Ignorant that many causes may be assigned for it's decay, some of which and particularly one it is not in the power of the merchant or Builder at present to remove nor do I see any other way whereby a Remedy may be applyed than by your aid. If the Demands of the Builder be higher than in the neighbouring Provinces, the Merchant will not, cannot build here without injuring himself If the Builder undertake the work at the same Rate that is given in the neighbouring provinces, he complains and I fear with too much truth that he labours only to be undone for the excessive wages of Carpenters which he must be obliged to hire for want of apprentices runs away with his profit and he cannot

take apprentices being unable in his present poverty to maintain them It is you alone who can apply a Remedy to this Evil and you may do it at a very small annual Expence for I am perswaded that two hundred pounds a year given to Ship Building with apprentices at the rate of Eight pounds a year with each apprentice for six or seven years will soon revive that necessary and usefull work It will make Ship Builders willing to take apprentices enable them in their present necessities to maintain them and to build for the merchant at as low a Rate as in the neighbouring provinces And from such a nursery of Ship Carpenters you may in a reasonable time hope to see that branch of Trade grow to a great Height You will then keep among you many Thousand pounds, which are now yearly exported out of the province by your neighbours who are at present your Carriers It will enable the Merchants and Factors to make quicker Remittances to England and give new Life and vigour to Trade in general The good Effects whereof every man in the Province will soon feel, nor will any part of the money thus given by you be lost to the province since it will all remain and circulate in it Something is absolutely necessary to be done to revive this withering branch of Trade, and if you can fall upon any method more easy, more practicable and more conducive to that end I will most heartily concur with you in it Your own Immediate Interest requires a speedy and effectual Remedy and I hope you will not let this Session wear away without applying it

Gentlemen.

The Governor of the Province of the Massachusetts Bay having sent me a vote of the Assembly of that Province and wrote to me himself Signifying his and their Desire to have the boundaries of the two provinces Settled by Commissioners I now lay those papers before you Hoping that you will enable me to defray the Expence of that work on the part of this province That the people of the Massachusetts may be confined within their proper Bounds The Peace on the frontiers preserved and the Inhabitants of those parts know more precisely to whom they owe their obedience, If you do this it will be necessary that a Law be past in each province to make the agreement of the Commissioners conclusive to both and when I know your Resolutions I will write to the Governor of the Massachusetts upon it

The Soldiers in the respective Garrisons being at present, without Bedding, Kettles, Bowls or platters I earnestly recommend it to you to make at this juncture some provision for it as well as for powder 'till stores are sent from England

GEO CLARKE

1739 Aug^t 29th

Ordered, that His Honour's Speech be taken into Consideration at the next meeting, and that a copy thereof be made out for and delivered to the printer, in order to be published

Ordered, that the Deputy Clerk of the Council do Write to all the absent members requiring their Immediate attendance at this Board

Then the Council adjourned 'till to morrow morning at 11 o'clock

Thursday the 30th day of Aug^t, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Monday next at 4 o'clock in the Afternoon

Monday the 3^d September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* JAMES DE LANCEY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Thursday next at 11 o'clock in the morning

Thursday the 6th September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow morning 11 o'clock

Friday the 7th September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,

HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Thursday next at 11 o'clock in the morning

Thursday the 13th September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* PHILIP CORTLANDT, Esq^r, Speaker,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow morning at 11 o'clock

Friday the 14th September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,

HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 18th September, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll Renslear with the Bill entitled, An Act to regulate the Militia of this Colony Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second Reading

A Message from the Assembly by Coll Philipse with the Bill entitled, An Act further to continue the Duty of Excise and the currency of the Bills of Credit emitted thereon during the time therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

Then the Council adjourned 'till Thursday next at 11 o'clock in the morning

Thursday the 20th Sep^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act to regulate the Militia of this Colony was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill Entitled, An Act to Continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon, during the time therein mentioned was read a second time and committed to the Gentlemen of the Council or any five of them

Then the Council adjourned 'till 3 o'clock P. M.

Thursday the 20th Sep^r, 1739. P. M.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,

HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Monday next at 10 o'clock in the morning

Monday the 24th of Septemb^r, 1739.

The Council met according to adjournment.

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council resolved into a Committee to consider of the two following Bills viz^t

The Bill entitled, An Act to regulate the Militia of this Colony and

The Bill entitled, An Act further to continue the Duty of Excise and the Currency of Bills of Credit emitted thereon, during the time therein mentioned

The Committee having duly weighed & considered of the same and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made immediately

Then Mr Horsmanden Chairman of the Committee (To whom the said two Bills were referred) in his place reported that the Committee had gone through the said two Bills and had directed him to report the same without any amendments

Which Report on the question being put was agreed to and approved of

Ordered, that the said two Bills be read the third time

Then the Council adjourned 'till Monday next at 10 o'clock in the morning

Monday the 1st October, 1739.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

PHILIP CORTLANDT,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The two following Bills viz^t The Bill Entitled, An Act to regulate the Militia of this Colony and the Bill Entitled, An Act further to continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon during the time therein mentioned, were read the third time and on the question being put

Resolved, that the said two Bills do pass

A Message from the Assembly by Mr Clarkson with the Bill entitled, An Act for compleating and building the fortifications and other the purposes therein mentioned for the defence and security of this Colony Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

The Council adjourned 'till Wednesday next at 10 o'clock in the morning

Wednesday the 3^d October, 1739.

The Council met according to adjournment

PRESENT— *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

PHILIP CORTLANDT,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honour the Lieutenant Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker

His Honour in presence of the Council and the said General Assembly gave his Assent to the Bill Entitled,

An Act to regulate the Militia of this Colony

After which His Honor in the usual manner caused the said Bill to be published at the City Hall

Then His Honour together with the Gentlemen of the Council and the members of the General Assembly returned to the Council Chamber at the City Hall

When His Honour made a speech to both Houses and having thereby prorogued them to the 9th day of October instant His Honour attended as usual returned to the Court

Then the Speaker resumed the Chair

Ordered, that His Honour's speech be entered in the Minutts and forthwith printed

Which is in the words following viz^t

Gentlemen,

I come to put an End to this Session and to give you a short recess. I was in hopes, and I believe every reasonable man expected, that at this Juncture you would seriously have laid to

heart the true Interest of your Country by showing your Duty & Loyalty to his Majesty in supporting his Governm^t in an honourable manner, from whence you might assuredly expect my assent to such good Laws as you might prepare for it Your constitution is built upon a plan as nearly resembling that of England, as the nature of the thing would admit of: Why would you not then tread in the steps of a British Parliament? Wise men make choice of the best examples for their conduct, you cannot have a greater or better, nor can your wisdom be more conspicuous than in taking that of a British Parliament; who, tho' they have ever been Jealous of the rights & Liberties of the People, yet, have always been zealous & forward to support the Government that protects them, They look upon the obligations to be reciprocal and as they expect protection so in the first place they support the Government, that it may be able to give it to them; They know the rights and Prerogatives of the Crown, nor do they attempt to Invade them; They give a gross sum for the Civil List, which is here called a Revenue for the support of Government They appropriate it to that use, but do not touch upon the application, or Disposition of it, that being the legal & known prerogative of the Crown, and the Deficiencies are made good in the like manner. That you may have time to reflect seriously on these things, I have thought fit to prorogue you to the ninth day of this present month of October, and I do accordingly prorogue you to the ninth day of this present month of October on which day you are to meet at the City Hall & proceed on business The Government having been long without a support, and the people wanting many things for their convenience; These ought to go & must go hand in hand: A proper Revenue is the sinews of Government, but if it wants strength, how can it give protection?

GEO CLARKE

New York, October the 3^d 1739

TWENTY-SECOND ASSEMBLY THIRD SESSION

At a Session of the Council and General Assembly begun at the City Hall in New York, on Tuesday the ninth day of October, 1739.

His Honour having on the third instant prorogued the General Assembly to this day
The Council met at the Council Chamber at the City Hall

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieutenant Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker

His Honour made a Speech to the Council and General Assembly and delivered one copy thereof to the Speaker of the Council, and another copy to the Speaker of the General Assembly

After which His Hon^r attended as usual returned to the Fort

Then the Speaker resumed the Chair

Ordered, that the Speech be read. Which having been read

Ordered, that the same be forthwith printed and entered in the Minutts which is in the words following viz^t

Gentlemen.

The short prorogation you have had being intended to give you an opportunity to reconsider those Things which at your last Siting I recommended to you for his Majesties Honor, and the Interest of the Province, I will not give you the trouble of a repetition but referr you to them;

hoping that you will effectually provide for them, wherein, as well as in all other Things for the benefit of the Province you shall find my ready concurrence

GEO CLARKE

the 9th October 1739

Then the Council adjourned 'till Fryday next at 11 o'clock in the morning

Fryday the 12th October, 1739.

The Council mett according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
JAMES DE LANCEY,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Wednesday next at 11 o'clock in the morning

Wednesday the 17th Oct^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the General Assembly by Coll Moore with the Bill Entitled, An Act for Compleating and building the fortifications and other the purposes therein mentioned for the Defence and Security of this Colony Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time and

Ordered a second reading

A Message from the General Assembly by Mr Roome with the Bill Entitled, An Act further to continue the Dutys of Excise and the Curreney of the Bills of Credit emitted thereon, and to Strike some new Bills for Exchanging such old ones as are or may be unfitt to circulate Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Ordered, that all the raisures and Interlineations that shall appear in any Bills past the General Assembly and now or hereafter to be brought to the Council for their concurrence be particularly taken notice of and entered in the minutes and

Ordered, that this be among the Standing Orders of this Board

Then the Council adjourned 'till to morrow morn 11 o'clock

Thursday the 18th Oct^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow at 4 o'clock Post Meridiem

Fryday the 19th Octob^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
ARCHIBALD KENNEDY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for compleating and building the fortifications and other the purposes therein mentioned for the Defence and Security of this Colony was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act further to continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon and to Strike some new Bills for exchanging such old ones as are or may be unfit to circulate was read a second time and committed to the Gent^{rs} of the Council or any five of them

A Message from the Assembly by Mr Nicoll with the Bill Entitled, An Act towards the further Supporting the Govern^{mt} of this Colony untill the first day of December which will be in the year one thousand Seven hundred and forty by continuing the Dutys granted and continued by the two Acts therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Mr Horsmanden having informed the Council that in the eighth year of his Majties Reign An Act of General Assembly of this province had been past for the partition and Division of a certain Tract of Land in Dutchess County granted to Samson Broughton and others which in some material points was defective and insufficient to answer the Ends intended by it, for that the partys co'd not make severance and partition thereof in such manner as the Law in such cases required

He therefore presented a Bill entitled, An Act to remedy some defects in and to Explain & Amend An Act past in the Eighth year of his Majesties Reign Entitled, An Act for partition and Division of a Certain Tract of Land in Dutchess County granted to Sampson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter Blancomier, Augustine Graham, Richard Sackett and Robert Luring

Ordered, that the Said Bill be read

Then the said Bill was read the first time and

Ordered a Second Reading

Then the Council adjourned 'till Monday next at 3 o'clock P. M.

Monday the 22^d October, 1739. P. M.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Deputy Clerk of this Board laid before them An Account of the several Raisures and Interlineations in the Bills as brought from the General Assembly to this Board for their Concurrence and now depending before them Which having been perused and examined

Ordered, that the same be entered in the Minutts and are as follows viz^t

The several Raisures and the words in their stead made and inserted in the Bill entitled, An Act for Compleating and building the fortifications and other the purposes therein mentioned for the security and defence of this Colony (to witt)

In pa 2 of Bill line the 2^d the words (and Captain Cornelius De Peyster) wrote after raisura

In same pa Line 9th a raisure made from the Word (Earth) to the Word (twenty) in the 10th line and instead thereof the following words are wrote after raisure to witt (sand or other proper materials round the Inside about)

In same page line the 16th the word (Engines) wrote after raisure. line the 17th a raisure made from the word (make) to the word (to) in the next line, and in that raisure are Inserted these words to witt Of Sods so much of the parapet as shall be judged proper and when that is done)

In pa 3 line the 15th the word (unto) wrote after raisure. In pa 4 line the 8th a raisure made from the word (pence) to the word (Commissioners) in the same line and instead thereof the following words are wrote after Raisure to witt (and of the money so to be received by the said)

In pa 6 line the 3^d the words (of all) wrote after raisure. In line 13th of same page the word (herein) wrote after raisure

In pa 9 line the 5th part of the word (recovered) wrote after raisure, and in same page line the 19th a raisure made from the word (the) to the word (Indians) in the same line, and instead thereof the words (Sachems and other) wrote after raisure and from the said word (Indians) in the said 19th line to the word (from) in the next line, a Raisure made and therein the following words are written (towitt) (of the Seneca's Nation have posted themselves at Tierondequat to prevent the french)

In pa 10 line the 3^d the words (the sole use and) wrote after raisure, and in line the 11th of same page the words (before mentioned in at the end of that line are wrote after Raisure

The Several Raisures and the words in their stead made and inserted in the Bill entitled, An Act farther to continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon, and to strike some new Bills for exchanging such old ones as are or may be unfit to circulate viz^t

In pa 6 line the 16th the word (members) wrote after Raisure and at the end of the next line the word (Second) wrote after raisure

In pa 8 line the 20th the words (20th October 1739) wrote in figures after raisure

In pa 10 line the 7th a raisure made from the word (and) to the word (to) in the same line

In pa 12 line the 7th the words (to the like Reward) wrote after raisure

In pa 16 line the 8th the words (the time) wrote after raisure

In pa 17 line the 18th the words (forged Counterfeited or) wrote after raisure

The Several Raisures and the words (in their stead) made and inserted in the Bill entitled, An Act towards the further supporting the Government of this Colony untill the first day of December which will be in the year One Thousand Seven hundred and florty by Continuing the Dutys granted and continued by the two Acts therein mentioned viz^t

In pa 2 line the 12th the word (whereas) wrote after Raisure

In pa 3 line the 14th the words (secured to) wrote after raisure

In pa 5 line the 5th the words of wine wrote after raisure

Then the Council adjourned 'till Wednesday next at 3 o'clock P. M.

Wednesday the 24th October, 1739. P. M.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Bili entitled, An Act towards the further Supporting the Government of this Colony until the first day of December which will be in the year One Thousand Seven hundred and florty by continuing the Dutys granted and continued by the two Acts therein mentioned was read a s-cond time and committed to the Gentlemen of the Council or any live of them

The Bill entitled, An Act to remedy some Defects in and to explain and amend An Act past in the Eighth year of His Majesties Reign Entitled, An Act for partition and division of a certain Tract of Land in Dutchess County granted to Sampson Broughton, Rip Van Dam, Thomas Wenham, Rager Mompesson, Peter Vanconier, Augustine Graham, Richard Sacckett and Robert Lurting was read a second time and committed to the Gentlemen of the Council or any live of them

The Council resolved into a Committee to consider of the two following Bills viz^t

The Bill entitled, An Act for compleating & building the flortifications and other the purposes therein mentioned for the Defence and Security of this Colony

The Bill entitled, An Act further to continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon, and to strike some new Bills for exchanging such old ones as are or may be unfit to circulate

The Committee having duly weighed & considered the same and being ready to make their Report thereon when the Council w^od please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden (Chairman of the Committee to whom the said two Bills were referred) in his place reported that the Committee had gone through the said two Bills and had directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said two Bills be read the 3^d time

Then the said two Bills were read the third time and

On the Question being put

Resolved, that the said two Bills do pass

Ordered, that Doctor Colden have leave to be absent his own affaires requiring his Immediate attendance at Home

Then the Council adjourned 'till 3 o'clock P. M.

Wednesday the 24th Octobr, 1739. P. M.

The Council met according to adjournment

PRESENT— *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Mr Horsmanden Chairman of the Committee (to whom was committed the Bill entitled, An Act towards the farther supporting the Government of this Colony untill the first day of December which will be in the year one Thousand seven hundred and florty by continuing the Dutys granted and continued by the two Acts therein mentioned, in his place reported that the Committee having duly weighed and considered the said Bill had directed him to report the same without any amendments

Which report on the question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the Council adjourned 'till to-morrow morning at 10 o'clock

Thursday, the 25th Octobr, 1739.

The Council met according to adjournment

PRESENT— *The Honorable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Hon^{ble} Dan^l Horsmanden do acquaint the General Assembly that the Council have past the two following Bills without any amendment viz^t

The Bill entitled, An Act for compleating and building the flortifications and other the purposes therein mentioned for the defence and security of this Colony

The Bill entitled, An Act further to continue the Duty of Excise and the Currency of the Bills of Credit emitted thereon and to strike some new Bills for exchanging such old ones as are or may be unfit to circulate

His Honour the Lieutenant Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker and His Honour having exprest himself to the Gentlemen of the Council and of the General Assembly that he came to give his Assent to the Bills that were ready for it as the Highest Instance he co'd give of his care for the credit and welfare of the Colony and of the confidence he had in their Honour

He afterwards in presence of the Council and General Assembly gave his Assent to the Fortification Bill and the Bill for continuing the Duty of Excise &c as the same are above particularly mentioned And afterwards caused the said two Bills to be published at the City Hall in the usual manner

Then His Honour attended as usual returned to the flort

After which the Gentlemen of the Council returned to the Council Chamber at the City Hall

The Speaker resumed the Chair

The Bill entitled, An Act towards the farther supporting the Government of this Colony untill the first day of December which will be in the year one thousand seven hundred and forty by continuing the Dutys granted and continued by the two Acts therein mentioned was read the third time

And on the Question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Daniel Horsmanden Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

Mr Horsmanden Chairman of the Committee (to whom was referred the Bill entitled, An Act to remedy some defects in and to explain and amend An Act past in the Eighth year of His Majesties Reign entitled, An Act for the Partition and Division of a certain Tract of Land in Dutchess County granted to Sampson Broughton, Rip Van Dam, Thomas Wenham, Roger Mompesson, Peter Macconnier, Augustine Graham, Richard Sackett and Robert Lurting) in his place reported that the Committee had duely weighed and considered the same and had directed him to report it without any amendment

Which Report on the question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Daniel Horsmanden Esq^r do carry the said Bill to the General Assembly and desire their concurrence therewith

Then the Council adjourned 'till Wednesday next at 11 o'clock in the morning

Wednesday the 31st October, 1739.

The Council met according to adjournment.

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

HENRY LANE,

PHILIP CORTLANDT, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned till Fryday next at 11 o'clock in the morning

Fryday the 2^d Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY.

PHILIP CORTLANDT,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message by Coll Schnyler and Captain Bradt with the Bill entitled, An Act to raise in the Township of Schenectade a sum not exceeding thirty two pounds for the use therein mentioned Desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Captⁿ Winne and Captain Bradt with the Bill entitled, An Act to revive An Act entitled An Act to empower the Justices of the peace in the County of Albany living or dwelling in the Town of Schenectade in the said County to regulate the Streets and Highways and to prevent accident by fire in the said Town Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Mr Ludlow & Mr Gale with the Bill Entitled, An Act for raising in the South part of Orange County a sum not exceeding one hundred pounds for finishing and compleating the Court House and Goal in Orange Town Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Note, that on reading the above Bill the following Rasures and the words inserted in their stead appeared to have been made viz^t

In pa 2 line the 1st The word (Governor) wrote after raisure, line the 11th the words (the sum of one hundred pounds) wrote after raisure

Then the Council adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 6th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,

JAMES DE LANCEY,

HENRY LANE,

DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Bill entitled, An Act to raise in the Township of Schenectade a sum not exceeding thirty two pounds for the use therein mentioned was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to revive An Act entitled, An Act to empower the Justices of the peace in the County of Albany living or dwelling in the Town of Schenactade in the said County to regulate the Streets and Highways and to prevent accidents by fire in the said Town was read a second time and committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act for raising in the south part of Orange County a sum not exceeding one hundred pounds for finishing and compleating the Court House & Goal in Orange Town was read a Second time and committed to the Gentlemen of the Council or any five of them

Then the Council resolved into a Committee to consider of the said three Bills

The Committee having duely weighed and considered of the same and being ready to make their report thereon when the Council wo'd please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said three Bills were referred in his place reported that the Committee had gone through the said three Bills and had directed him to report the same without any amendments

Which report on the question being put was agreed to and approved of

Ordered, that the said three Bil's be read the third time

Then the Council adjourned 'till to morrow at 11 o'clock in the morning

Wednesday the 7th Nov^r, 1739.

The Council met according to adjournment.

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The three following Bills viz^t The Bill entitled, An Act to raise in the Township of Schanegtade a sum not exceeding thirty two pounds for the use therein mentioned. The Bill entitled, An Act to revive An Act entitled, An Act to empower the Justices of the Peace in the County of Albany living or dwelling in the Town of Schanagtade in the said County to regulate the Streets and Highways and to prevent accidents by fire in the said Town. The Bill entitled, An Act for raising in the south part of Orange County a sum not exceeding one hundred pounds for finishing and compleating the Court House and Goal in Orange Town were read the third time and

On the question being put

Resolved, that the said three Bills do pass

Ordered, that as to the first of the said three Bills the Hon^{ble} Daniel Horsmanden Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment And as to the other two Bills that the Hon^{ble} Henry Lane and Philip Cortlandt Esq^{rs} do also severally acquaint the General Assembly that the Council have likewise past the said two Bills without any amendments

A Message from the Assembly by Mr Nicoll and Mr Cornell with the Bill entitled, An Act to revive An Act Entitled, An Act for the Encouragement of Whaling Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Mr Nicoll and Collonel J Lott with the Bill entitled, An Act to continue An Act entitled, An Act to prevent the Destruction of Sheep by Doggs Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Note, that in this Bill consisting of one page only as brought to the Council in the 5th line the words (next and) are written after raisure

Then the Council adjourned 'till to morrow at 11 o'clock in the morning

Thursday the 8th Nov^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* PHILIP LIVINGSTON, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the General Assembly by Mr Clarkson and Mr Jones with the Bill entitled, An Act to apply the moneys granted for the support of this Government as well for discharging the salaries and contingencies that have accrued already as those that will become due by the first day of September One Thousand seven hundred and forty Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a Second reading

Note, that the several raisures made in this Bill and the words inserted in their stead as the same has been brought to the Council for their Concurrence are as follows viz^t

In pa 2^d line the 16th the words (as soon as a copy of this Act shall be printed) are written after raisure

In pa 5 line the 7th the words (day of) wrote after raisure

line the 12th the word (sixty) wrote after raisure

line the 13th the word (pounds) wrote after raisure

In pa 6 line the 22^d the words (one days at) wrote after raisure

The Bill entitled, An Act to revive An Act entitled, An Act for the Encouragement of Whaling was read a Second time and Committed to the Gentlemen of the Council or any five of them

The Bill entitled, An Act to Continue An Act entitled, An Act to prevent the destruction of Sheep by Doggs was read a Second time and Committed to the Gentlemen of the Council or any five of them

Then the Council resolved into a Committee to Consider of the said two Bills

The Committee having duly weighed and Considered of the Same and being ready to make their Report thereon when the Council wo'd please to receive the Same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the Said two Bills were referred in his place reported that the Committee had gone through the Said two Bills and had directed him to report the Same without Any Amendments

Which Report on the question being put was agreed to and approved of

Ordered, that the Said two Bill be read the third time

Then the Council adjourned 'till to morrow morning at 11 o'clock

Fryday the 9th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till to morrow morning at 11 o'clock

Saturday the 10th Nov^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to revive An Act entitled, An Act for the Encouragement of Whaling was read the third time and on the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Philip Cortlandt Esq^r do Acquaint the General Assembly that the Council have past the Said Bill without Any Amendment

The Bill entitled, An Act to Continue An Act entitled, An Act to prevent the destruction of Sheep by Doggs was read the third time and on the question being put

Resolved, that the Said Bill do pass

Ordered, That the Hon^{ble} Dan^l Horsmanden Esq^r do acquaint the General Assembly That the Council have past the said Bill without any amendment

The Bill entitled, An Act to apply the monies granted for the support of this Government as well for discharging the salaries and contingencies that have accrued already as those that will become due by the first day of September One Thousand seven hundred and flirty was read a second time and committed to the Gentlemen of the Council or any five of them

Then the Council resolved into a committee to consider of the said Bill

The Committee having duely weighed and considered of the same and being ready to make their Report thereon when the Council wo'd please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill & had directed him to report the same without any amendment

Which Report on the question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Forasmuch as the Council have now no material business depending before them and some of them having had leave of absence It is therefore

Ordered, that any three of the Council be empowered to finish the business now depending, or which during the remainder of this Session shall be brought before them In case there sho'd happen no greater number to be met

Then the Council adjourned till Tuesday next at 11 o'clock in the morning

Tuesday the 13th of Novemb^r, 1739.

The Council met according to adjournment

PRESENT— *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker Assumed the Chair

The Bill entitled, An Act to apply the monies granted for the support of this Government as well for discharging the Sallaries & contingencies that have accrued allready as those that will become due by the first day of September One Thousand seven hundred and forty was read the third time and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Honourable Philip Cortlandt Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

A Message from the Assembly by M^r Cornell & M^r Hardenburgh with the Bill entitled, An Act letting to flarm the Excise on Strong Liquors retailed in this Colony for the time and to the purposes therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

The Raisure in this Bill as brought to the Council is as follows In pa 4 line the 4th a raisure made from the word (Judge) to the word (or) at the end of that line and the following words viz^t (or Judges before whom such Recognizance) are written after raisure

A Message from the Assembly by M^r Abraham Lott and M^r Stillwell with the Bill entitled, An Act for reviving An Act entitled, An Act for regulating flences for the several citys and countys within this Colony of New York Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned 'till to morrow morning 11 o'clock

Wednesday the 14th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act letting to flarm the Excise of Strong Liquors retailed in this Colony for the time and to the persons therein mentioned was read a second time and committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act for reviving An Act entitled, An Act for regulating ffences for the several Citys & Countys within this Colony of New York was read a second time and committed to the Gentlemen of the Council or any three of them

Then the Council resolved into a Committee to consider of the said two Bills

The Committee having duely weighed & considered of the same and being ready to make their report thereon when the Council wo'd please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said two Bills were referred in his place reported that the Committee had gone through the said two Bills and had directed him to report the same without any amendments

Which Report on the question being put was agreed to and approved of

Ordered, That the said two Bills be read the third time

A Message from the Assembly by Mr Peirson & Mr Nicoll with the Bill entitled, An Act to continue An Act entitled, An Act for the better clearing regulating and further laying out publick High Ways in the County of Suffolk with some additions thereto Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

In the above Bill as brought to the Council for their concurrence the words (Act entitled) in the title of the Act, are written after raisure, and in same page line the 10th the word (full) wrote after raisure, And in pa 2 line the 3^d a small raisure made from the word (and) to the word (entitled)

A Message from the Assembly by Mr Nicoll & Mr Peirson with the Bill entitled, An Act to enable the Inhabitants of Brookhaven in the County of Suffolk to elect two constables at the places therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

In this Bill as brought to the Council for their concurrence in line the 3^d the words (of the) are written after raisure, and in line the 11th the word (times) wrote after raisure

A Message from the Assembly by Mr Le Count and Coll Johannes Lott with the Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick High Ways in Kings County, Queens County, Richmond County and Orange County with some additions thereto Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Mr Jones and Mr Gale with the Bill entitled, An Act for the further continuing An Act entitled, An Act to prevent the setting on fire or burning the old grass on Hamstead plains with an addition thereto Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was Read the first time and

Ordered a second reading

In this Bill pa 1. line the 20th the words (Jonathan Rowland) are written after raisure

A Message from the Assembly by Mr Peirson and Mr Nicoll with the Bill entitled, An Act to encourage the destroying of Wild Catts and for the preservation of Deer in the County of Suffolk Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned 'till to morrow morning at 11 o'clock

Thursday the 15th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act letting to farm the Excise on Strong Liquors retailed in this Colony for the time and to the persons therein mentioned, Was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Philip Cortlandt Esq do acquaint the General Assembly that the Council have past the said Bill without any amendment

The Bill entitled, An Act for reviving An Act entitled, An Act for regulating fences for the several Cities & Countys within this Colony of New York was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Daniel Horsmanden Esq do acquaint the General Assembly that the Council have past the said Bill without any amendment

The Bill entitled, An Act to continue An Act entitled, An Act for the better clearing regulating and further laying out publick Highways in the County of Suffolk with some additions thereto was read a second time and committed to the Gentmⁿ of the Council or any three of them

The Bill entitled, An Act to enable the Inhabitants of Brookhaven in the County of Suffolk to elect two Constables at the places therein mentioned was read a 2^d time and committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick Highways in Kings County, Queens County, Richmond County and Orange County with some additions thereto was read a second time & committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act for the further continuing An Act entitled, An Act to prevent the setting on fire or burning the old Grass on Hamstead plains with an Addition thereto was read a second time and committed to the Gentlemen of the Council or any three of them

The Bill to encourage the destroying of Wild Catts and for the preservation of Deer in the County of Suffolk was read a second time and committed to the Gentlemen of the Council or any three of them

Then the Council resolved into a Committee to consider of the last five foregoing Bills

The Committee having duely weighed and considered of the same and being ready to make their Report thereon when the Council wo'd please to receive the same

The Speaker resumed the Chair

Ordered, That the said Report be made Immediately

Then Mr Horsmanden Chairman of the Committee to whom the said five Bills were referred in his place reported that the Committee had gone through the said five Bills and had directed him to report the same without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said five Bills be read the third time

A Message from the Assembly by Alderman Roome and Mr Hasbrouk with the Bill entitled, An Act for Naturalizing Johan Willem Smith and Seventeen more therein named Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by Coll Moore and Mr Nicoll with the Bill entitled, An Act to restrain Hawkers and Pedlars within this Colony from selling without lycence Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered, a second reading

A Message from the Assembly by Coll Johannes Lott and Mr Cornell with the Bill entitled, An Act to prevent the penning and ffoldng of Sheep and neat Cattle feeding on Hamstead Plaines Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned 'till 4 o'clock P. M.

Thursday the 15th Novemb^r, 1739. P. M.

The Council met according to adjournm^t

PRESENT as in the forenoon

The Speaker assumed the Chair

The Bill entitled, An Act to continue An Act entitled, An Act for the better clearing regulating and further laying out publick Highways in the County of Suffolk with some additions thereto was read the third time and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Daniel Horsmanden Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

The Bill entitled, An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick Highways in Kings County, Queens County, Richmond County and Orange County with some additions thereto was read the third time and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Henry Lane Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

The two following Bills viz^t The Bill entitled, An Act to enable the Inhabitants of Brookhaven in the County of Suffolk to elect two Constables at the places therein mentioned, And the Bill entitled, An Act for the further continuing An Act entitled, An Act to prevent the setting on fire or burning the old Grass on Hamstead plaines were read the third time and

On the question being put

Resolved, that the said two Bills do pass

Ordered, that the Hon^{ble} Philip Cortlandt Esq^r do acquaint the General Assembly that the Council have past the said two Bill without any amendment

The Bill entitled, An Act for Naturalizing Johan Willem Smith and seventeen more therein named was read a second time and committed to the Gentmⁿ of the Council or any three of them

The Bill entitled, An Act to restrain Hawkers and pedlars from selling without lycence was read a second time and committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act to revive An Act entitled, An Act to prevent the penning and folding of Sheep and neat Cattle feeding on Hamstead plaines was read a second time and committed to the Gentlemen of the Council or any three of them

Then the Council resolved into a Committee to consider of the said three Bills

The Committee having duely weighed and considered of the same and being ready to make their Report thereon when the Council wo^{ld} please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made Immediately

Then M^r Horsmanden in his place reported that the Committee had gone through the Bill entitled, An Act for Naturalizing Johan Willem Smith and seventeen more therein named and had made an amendment thereto

Ordered, that the amendment be read

Then the amendment made to the said Bill was read and

On the question being put was agreed to and approved of

Ordered, that the said Bill be read the third time as amended

M^r Horsmanden in his place further reported that the Committee had gone through the two following Bills viz^t The Bill entitled, An Act to restrain Hawkers and Pedlars within this Colony from selling without lycence, and The Bill entitled, An Act to revive An Act entitled, An Act to prevent the penning and folding of Sheep and neat Cattle feeding on Hamstead plains and had directed him to report the same without any amendment

Which report on the question being put was agreed to and approved of

Ordered, that the said two Bills be read the third time

A Message from the General Assembly by Coll Philipse and M^r Clarkson with the Bill entitled, An Act to remedy some defects in, and to explain and amend An Act passed in the Eighth year of his Majesties Reign entitled, An Act for the partition and Division of a certain Tract of Land in Dutchess County granted to Samson Broughton and others together with an amendment by them made thereto by adding a clause at the end of the said Bill and desiring the concurrence of the Council therewith

Ordered, that the amendment be read

Then the amendment made to the said Bill was read and

On the question being put the same was agreed to and approved of

Ordered, that the Hon^{ble} Daniel Horsmauden Esq^r do carry the said Bill to the General Assembly together with the amendment by them made thereto, and acquaint them that the Council have agreed to their amendment, and desire them to amend the said Bill accordingly

Then the Council adjourned 'till to morrow morning 11 o'clock

Fryday the 16th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to encourage the destroying of Wild Catts and for the preservation of Deer in the County of Suffolk was read the third time, and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Philip Cortlandt Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

A Message from the Assembly by Coll Philipse and Alderman Roome returning the Bill entitled, An Act to remedy some defects in, and to explain & amend An Act past in the Eighth year of his Majesties Reign entitled, An Act for the partition and Division of a certain Tract of Land in Dutchess County granted to Samson Broughton & others acquainting the Council that pursuant to their request the Assembly had accordingly amended the said Bill

The Bill entitled, An Act to restrain Hawkers and Pedlars within this Colony from selling without lycence was read the third time and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Dan^l Horsmanden Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

The Bill entitled, An Act to revive An Act entitled, An Act to prevent the penning and folding of Sheep and Neat Cattle feeding on Hamstead plaines was read the third time and on the question being put

Resolved, that the said Bill do pass

Ordered, that the Hon^{ble} Philip Cortlandt Esq^r do Acquaint the General Assembly that the Council have past the said Bill without Any Amendment

The Bill entitled. An Act for Naturalizing Johan Willem Smith and Seventeen more therein named was read the third time as amended and on the question being put

Resolved, that the said Bill as Amended do pass

Ordered, that the Hon^{ble} Henry Lane Esq^r do Carry the Said Bill together with the Amendment made by the Council thereto, to the General Assembly and desire their Concurrence therewith

A Message from the General Assembly by Coll Philipse and Alderman Roome with the Bill entitled, An Act for Naturalizing Johan Willem Smith and others, that that House cannot agree to the Amendment made by the Council to the said Bill Which having been read

Resolved, that the Council do adhere to their Amendment

Ordered, that the Hon^{ble} Henry Lane Esq^r do Acquaint the General Assembly therewith

Then the Council adjourned 'till to morrow morning at 10 o'clock

Saturday the 17th Novemb^r, 1739.

The Council met according to adjournment

PRESENT — *The Honourable* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieutenant Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance

The General Assembly accordingly attending with their Speaker

His Honour in presence of the Council and General Assembly gave his Assent to the following Bills viz^t

4 An Act towards the further Supporting the Government of this Colony untill the first day of December which will be in the year 1740 by Continuing the Duties granted and Continued by the two Acts therein mentioned

5 An Act to raise in the Township of Schenectade a Sum not exceeding thirty two pounds for the use therein mentioned

6 An Act to revive An Act entitled, An Act to empower the Justices of the peace in the County of Albany living or dwelling in the Town of Schenectade in the said County to regulate the Streets and Highways and to prevent Accidents by fire in the Said Town

7 An Act for raising in the South part of Orange County a Sum not exceeding One hundred pounds for finishing and Completing the Court House and Goal in Orange Town

8 An Act to revive An Act entitled, An Act for the Encouragement of Whaling

9 An Act to Continue An Act entitled, An Act to prevent the Destruction of Sheep by Doggs

10 An Act to apply the monies granted for the Support of this Government, as well for the discharging the Salaries and Contingencies that have accrued already, as those that will become due by the first day of September One Thousand Seven hundred and forty

11 An Act letting to farm the Excise on Strong Liquors retailed in this Colony for the time and to the persons therein mentioned

12 An Act for reviving An Act entitled, An Act for regulating fences for the several Citys & Countys within this Colony of New York

13 An Act to continue An Act entitled, An Act for the better clearing regulating and further laying out publick Highways in the County of Suffolk with some Additions thereto

14 An Act to enable the Inhabitants of Brookhaven in the County of Suffolk to elect two Constables at the places therein mentioned

15 An Act for the further continuing An Act entitled, An Act for the better clearing regulating and further laying out publick High Ways in Kings County, Queens County, Richmond County and Orange County with some additions thereto

16 An Act for further continuing An Act entitled, An Act to prevent the Setting on fire or burning the old grass on Hamstead Plains with an addition thereto

17 An Act to encourage the destroying of Wild Catts and for the preservation of Deer in the County of Suffolk

18 An Act to restrain Hawkers and Pedlars within this Colony from Selling without lycence

19 An Act to revive An Act entitled, An Act to prevent the penning and flogging of Sheep and neat Cattle feeding on Hamstead Plaines

Then His Honor addressing himself to the General Assembly was pleased to say that after the several Acts aforesaid were published the House might repair to their Assembly Chamber and adjourn it self to the second Tuesday in April next

After which His Hon^r attended as usual went to the City Hall and there caused the Several Acts aforesaid to be published. And after with the usual Solemnity returned to the flort

Then the Council returned to the Council Chamber at the City Hall

PRESENT as before

The Speaker assumed the Chair

His Honour the Lieutenant Govern^r having directed the General Assembly to adjourn themselves to the Second Tuesday in April next

The Council therefore adjourned to the said Second Tuesday in April next.

TWENTY-SECOND ASSEMBLY FOURTH SESSION.

Att a Session of the Council and General Assembly began at the City Hall in New York, on Monday the 30th day of June, 1740.

The General Assembly having stood adjourned to the 8th day of April last and then further adjourned to this day

The Council met at the Council Chamber at the City Hall

PRESENT — *The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,
JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honor the Lieutenant Governor attended as usual being come to the Council Chamber in the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance

The General Assembly accordingly attending with their Speaker

His Honor made a Speech to the Council & General Assembly, and delivered one copy thereof to the Speaker of the Council and another copy to the Speaker of the General Assembly

After which His Honor returned to the flort

Then the Speaker resumed the Chair

Ordered, His Honors Speech be read

Which being read accordingly flurther

Ordered, that the same be entered in the minnits and is in the words flfollowing viz^t

Gentlemen,

His Majesty having been called upon by repeated provocations to declare warr against Spain, and being determined by Gods assistance in so just a cause to vindicate the Honor of his Imperial Crown, to revenge the Injuries done to his subjects to assert their undoubted rights of navigation, and by all possible means to attack, annoy and distress a nation that has treated his people with such Insolence and barbarity has given orders for the equipping and setting forth of an Expedition against the Territories of the Catholick King in the West Indies, which will consist of a large squadron of ships of Warr and of a considerable body of Land flforces with a suitable Train of Artillery, store ships and all things requisite, and has likewise given orders to raise a body of Troops in his Majesties Colonies on the Continent of North America to Join those to be sent from England at a particular Rendezvous I have in obedience to his Majesties commands taken the best measures in my power, to invite and encourage his Majesties faithfull subjects in this province chearfully to inlist in his Majesties service for this Expedition But it is in your power to do much more by giving a bounty to every man who inlists in this service, and I am persuaded it will be such as will show the world that you will not be behind the most zealous of his Majesties subjects in promoting this glorious enterprize Now altho' by the success of this Expedition the Commerce, and navigation of this province, to and from the West Indies, will not only be scened but greatly encreased by the large possessions which by the blessing of God on his Majesties Arms will fall into his Majesties hands and altho' by such acquisitions a door will be opened for a larger consumption of provisions (the staple of this province) whereby the flfarmer as well as the merchant may be greatly enriched, yet it is but litle that his Majesty expects from his dutiful & loyal subjects of this province towards the Expence of this Expedition and I am commanded by His Majesty to recommend it to you in his name, as I do most earnestly, that you provide victuals, Transports and all other necessarys for the Troops to be raised in this province, except Cloaths, Tents, Arms, Ammunition & pay, 'till their arrival at the general Rendezvous in the West Indies, from which time the said Transports are to enter into his Majesties pay, in the doing whereof I hope you will lose no time, that the Expedition may not be retarded. His Majties Expectations are so just & reasonable & the prospect of advantage to the province so clear, that I persuade my self you will chearfully & immediately provide for the Expence of what is recommended to you

These things being matter of the highest Importance, I will not now take off your attention by recommending any thing else to your consideration, hoping you will give this business the utmost dispatch, wherein you will in a very particular manner recommend your selves & your Country to his Majesty, whom God alone preserve

GEO CLARKE

N: York June 30th 1740

Then James De Lancey Esq^r Chief Justice moved that a Committee be appointed to prepare an Address to return His Honor the thanks of the Council for his seasonable speech, & to express their readiness to concur in any measures that shall be proposed for his Majesties service & the Interest of the province

Which being seconded & agreed to *unanimously*

Ordered, that Archibald Kennedy, James De Lancey and Daniel Horsmanden Esq^{rs} be a Committee to prepare the same, and lay it before the Council at their next meeting

Then the Council adjourned 'till to morrow morning 11 o'clock

Tuesday the 1st July, 1740.

The Council met according to adjournment

PRESENT—*The Honorable* ARCHIBALD KENNEDY, Esq^r, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Mr Horsmanden from the Committee appointed to prepare a Draft of an Address presented a D^t accordingly

Ordered, that the Address be read

Which having been read was approved of by the Board

Ordered, the same be engrossed

The engrossed Address was read and Agreed to

Ordered, that Mr Kennedy the Speaker sign the same on behalf of the Council

Ordered, that Mr Kennedy and Mr Horsmanden do wait on his Honor to know when he wou'd be pleased to be attended with the Councils Address

Mr Kennedy and Mr Horsmanden having waited on his Honor Accordingly and being returned, reported that his Honor had appointed the Hour of twelve o' the clock to receive the said Address

Ordered, the s^d Address be entered in the Minits and is in the words foll :

To the Hon^{ble} GEORGE CLARKE Esq^r his Majesties Lieut^t Governor and Commander in Chief of the province of New York and Territories thereon depending in America &c

The humble ADDRESS of the members of his Majesties Council for the s^d province

May it please your Honor

We his Majesties most dutiful and loyal Subjects, the members of the Council for the province of New York. beg leave to return your Honor our hearty thanks for your Speech, intimating to us a glorious Enterprize set on foot by his Majesty ag^t the Territories of the King of Spain in the West Indies, & that for that purpose, his Majesty had given Orders for equipping a large Squadron of Ships & a Considerable body of land forces, with a Suitable Train of Artillery, Store Ships & all Things requisite; and likewise that his Majesty had given orders for raising a body of Troops in his Majesties Colonies on the Continent of North America to join those to be sent from England at a particular Rendezvous

We cannot sufficiently admire his Maj^{ties} wisdom & goodness in his paternal care of his people in general upon this Occasion, and as more particularly extended to us of his Majesties remotest Dominions and we do Assure your Honor, that we will with the utmost gratitude, Zeal & Cheerfulness exert our Selves in the most vigorous endeavours to bring to effect, all proper measures for promoting & advancing an Expedition w^{ch} his Majesty has so much at heart, & which your Honor has so earnestly recommended to us, being persuaded that we cannot render a more Acceptable Service to his Majesty, or do Anything more esential for the Interest of this province

By Order of the Council

ARCH^d KENNEDY Speaker

To which His Honor was pleased to make the following Answer

Gentlemen,

I thank you for this Address, & depend upon the Assurance you give me of your vigorous Endeavours to promote the Expedition against the Spaniards, the Success whereof will greatly enlarge the trade of this province

GEO. CLARKE

The Council being returned to the Council Chamber
Ordered, that their Address with His Honors Answer be forthwith printed
 Then the Council adjourned to Friday morning at 11 o'clock

Fryday the 4th July, 1740.

The Council met according to adjournm^t

PRESENT — *The Hono^{ble}* ARCHIBALD KENNEDY, Esq^r, Speaker,
 PHILIP CORTLANDT,
 HENRY LANE,
 DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
 The Council adjourned 'till Tuesday next 11 o'clock in the forenoon

Tuesday, 8th July, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* CADWALLADER GOLDEN, Esq^r, Speaker,
 ARCHIBALD KENNEDY,
 PHILIP CORTLANDT,
 DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
 The Council adjourned till Thursday next at 11 o'clock in the forenoon

Thursday, July 10th, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCHIBALD KENNEDY, Esq^r, Speaker,
 PHILIP CORTLANDT,
 DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
 The Council adjourned to 5 o'clock P. M.

Thursday, 10th July. P. M.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* CADWALLADER GOLDEN, Esq^r, Speaker,
 ARCHIBALD KENNEDY,
 PHILIP CORTLANDT,
 HENRY LANE,
 DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the General Assembly by Coll Morris and Coll Philipse with the Bill entitled,
 An Act for Transporting & victualling of Voluntiers enlisted in this Colony, to serve in the
 Expedition therein mentioned Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

Then the Council adjourned till to morrow morning at 11 o'clock

Fryday, July 11th, 1740.

The Council met according to adjournm^t

PRESENT — *The Hono^{ble}* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for transporting & Victualing of Voluntiers inlisted in this Colony to serve in the Expedition therein mentioned was read a second time & committed to the Gentlemen of the Council or any five of them

Then the Council resolved into a Commée to consider of the s^d Bill

Note, that the Several Raisures made in this Bill and the words incerted in their stead as the same has been brought to the Council for their concurrence are as follow viz^t

In pa 2 line 8th the word (vice) is wrote after Raisure

In D^o pa line 9th the letter (o) in the word bello is wrote after raisure

In pa 6th line 16th the word (the) & the word (or) are wrote after raisure

In pa 8th line the 12th the words (it originally stood appropriated to) are wrote after raisure.

In D^o pa line the 16th the words (for the uses it originally stood) are likewise wrote after raisure

The Council adjourned till 4 o'clock P. M.

ffryday P. M.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* CADWALLADER COLDEN, Esq^r, Speaker

ARCHIBALD KENNEDY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Commée having duly weighed & considered of the Bill & being ready to make their report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the s^d Report be made immediately

Then Mr Horsmanden Chairman of the Commée to whom the s^d Bill was referred in his place reported that the Commée had gone through the same & had directed him to report the same without any amendment

Which report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

On the question being put

Resolved, that the said Bill do pass

Ordered, that the Hono^{ble} Henry Lane Esq^r do acquaint the General Assembly that the Council have past the said Bill without any amendment

Then the Council adjourned till to morrow morning at 11 o'clock

Saturday July 12th, 1740.

The Council met according to adjournm^t

PRESENT— *The Hon^{ble}* CADWALLADER COLDEN Esq^r, Speaker,
 ARCHIBALD KENNEDY,
 PHILIP CORTLANDT,
 HENRY LANE,
 DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance

The General Assembly accordingly attending with their Speaker

His Honor in presence of the Council and General Assembly gave his assent to the following Bill viz^t

An Act for Transporting and Victualling of Voluntiers Indlisted in this Colony to serve in the Expedition therein mentioned

Then His Honor addressing himself to the General Assembly was pleased to say that after the Act affs^d was published the House might repair to their Assembly Chamber & adjourn it self to the second Tuesday in Sep^r next

After which His Honor attended as usual went to the City Hall and there caused the affs^d Act to be published and after with the usual solemnity returned to the flo^{or}

Then the Council returned to the Council Chamber at the City Hall

PRESENT as before

The Speaker assumed the Chair

His Honor the Governor having directed the General Assembly to adjourn themselves to the second Tuesday in September next

The Council therefore adjourned to the said second Tuesday in Sep^r next then to meet to do business without further notice



TWENTY-SECOND ASSEMBLY FIFTH SESSION.

Att a Session of the Council & General Assembly begun at the City Hall in New York, on Tuesday, the 9th day of September, 1740.

The General Assembly having stood adjourned to this day

The Council met at the Council Chamber at the City Hall

PRESENT — *The Hon^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,
 PHILIP CORTLANDT,
 DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned till to morrow morning at 11 o'clock

Wednesday the 10th Sep^r, 1740.

The Council met according to adjournm^t

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
The Council adjourned till 3 o'clock P. M.

Wednesday the 10th Sep^r, 1740. P. M.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Lieutenant Governor attended as usual being Come to the Council Chamber in the City Hall sent a message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance

The General Assembly Accordingly Attending wth their Speaker

His Honor made a Speech to the Council & General Assembly & delivered one copy thereof to the Speaker of the Council & another to the Speaker of the General Assembly

After which His Honor returned to the Court

Then the Speaker resumed the Chair

Ordered, His Honors Speech be read. Which being read accordingly further

Ordered, that the same be entered in the minnits & is in the words following viz^t

Gentlemen,

At your last Sitting you gave a Sum of money for transporting & victualling five hundred men to be imployed in the Expedition against the Spaniards, that being the number you then thought would be raised in this province for that Service, but there being now Another Company of one hundred men raising & almost Compleat, I recommend it to you in his Majesties name to give a further Sum for Victualling & Transporting them to the place of Rendezvous, and I perswade my self, that his Majesties Honor, the Interest of your Country, and a due Reflection on the Signal & Constant Benefits you receive from his Majesties paternal Care of this province will inspire you wth dutifull & gratefull sentiments & induce you to show your Zeal on this Occasion wth the utmost Chearfulness

The Apprehensions that the people on the frontiers were under last fall of a rupture wth France made it necessary to have a double garrison all the Winter at Oswego, but there being then no provision made for the victualling of the additional number of men one of the Contractors undertook it hoping that the Assembly would pay him & I now recommend it to you Oswego is a place of great Importance to you & ought by all means to be preserved & if it can be without weakening the Garrisons, in the other frontier places, And I am perswaded that if proper provision be made by you for it now, when the Support of that Garrison will fall under your Consideration the last Act being upon the point of expiring, a Suff^t number of the Six Nations of Indians may be induced to Stay there wth the usual garrison for its defence in that part of the year when the Traders leave it to return to their own habitations.

Desertions from his Majesties Ships of warr & land forces in this province, have of late been so frequent, that unless some good law be passed to prevent the like for the future, they may be unable to protect either your trade or country. By passing such a law you will show your zeal for his Majesties Service & the welfare of your country

The Mohawk Sachems have represented unto me the irreparable conditions of the Chappel formerly built for their religious worship & desiring to have a new one built I cannot but earnestly recommend it to you as a thing worthy the consideration of a Christian Assembly The progress already made by the Rev^d M^r Barclay opens to our view a glorious prospect of spreading the Christian faith & worship throughout all the Six Nations, especially if he be enabled by you to proceed in the work he has so happily & successfully begun

The Revenue being now expired, I recommend it to you, to give to his Majesty for the support of Government, such an ample one, and for such term of years as former Assemblies

have given, whereby you will strongly recommend your selves to his Majesties grace & favour: At the same time it will be necessary to prevent by some good law, all illicit Trade, so much complained of by the fair Trader & so injurious to the Revenue. And I hope you will think it high time to give some effectuall Encouragement to Ship building

GEO. CLARKE

N. York 10th Sep^r 1740

Then the Council adjourned 'till Tuesday next at 11 o'clock in the morning

Tuesday the 16th Sep^r, 1740.

The Council met according to adjournm^t

PRESENT — *The Honorable* JAMES DE LANCEY, Esq^r, Speaker,

PHILIP CORTLANDT,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning at 11 o'clock

Wednesday the 17th Sep^r, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* JA^s DE LANCEY, Esq^r, Speaker,

HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till Tuesday next at 11 o'clock in the forenoon

Tuesday the 23^d of Sep^r, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* JA^s DE LANCEY, Esq^r, Speaker,

PHILIP CORTLANDT,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned 'till fryday next at 11 o'clock in the forenoon

Fryday the 26th Sep^r, 1740.

The Council met according to adjournm^t

PRESENT — *The Honorable* JAMES DE LANCEY, Esq^r, Speaker,

PHILIP CORTLANDT,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by M^r Jones & M^r Nicol with the Bill entitled, An Act for returning Stray Cattle & Sheep to their owners, Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a 2^d reading

A Message from the Assembly by Coll Beekman & Coll Moore wth the Bill entitled, An Act to continue An Act Intitled, An Act to regulate the Militia of this Colony wth an addition thereto desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time and

Ordered a second reading

A Message from the Assembly by M^r Ludlow & M^r Nicol with the Bill entitled, An Act to continue An Act Intitled, An Act to restrain Tavern keepers and Innholders from selling Strong Liquours to servants & apprentices & from giving large credit to others Desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a 2^d reading

Then the Council adjourned till Tuesday next at 11 o'clock in the morning

Tuesday the 30th Sep^r, 1740.

The Council met according to adjournm^t

PRESENT— *The Hono^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for returning stray Cattle & Sheep to their owners was read a second time & committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act to continue An Act intitled, An Act to regulate the Militia of this Colony wth an Addition thereto was read a 2^d time & committed to the Gentlemen of the Council or any three of them

The Bill entitled, An Act to continue An Act Intitled, An Act to restrain Tavern Keepers & Inholders from selling Strong Liquors to serv^{ts} & apprentices & from giving large Credit to others was read a 2^d time & committed to the Gentlemen of the Council or any three of them

A Message from the Assembly by M^r Clarkson & M^r Boome with the Bill entitled, An Act to Limmit the time of continuance of General Assemblys in this Colony desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered, a 2^d reading

Then the Council adjourned 'till Thursday next at 11 o'clock in the morning

Thursday October 2^d, 1740.

The Council met according to adjournment

PRESENT— *The Honorable* ARCHIBALD KENNEDY, Esq, Speaker,

HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned 'till to morrow morning at 11 o'clock

Fryday October 3^d, 1740.

The Council met according to adjournment

PRESENT— *The Hon^{ble}* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

HENRY LANE, Esq^r.

The Speaker assumed the Chair

The Council adjourned 'till Tuesday next at 11 o'clock in the forenoon

Tuesday October 7th, 1740.

The Council met according to adjournm^t

PRESENT— *The Hon^{ble}* ARCH^d KENNEDY, Esq, Speaker

JAMES DE LANCEY,

HENRY LANE,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council adjourned till to morrow at 11 o'clock in the forenoon

Wednesday, October 8th, 1740.

The Council met according to adjournm^t

PRESENT— *The Hon^{ble}* ARCH^d KENNEDY, Esq^r, Speaker,

JA^s DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A Message from the General Assembly by Mr Stillwell & Mr Pierson with the Bill entitled, An Act for Letting to farm the Excise on Strong Liquors retailed in this Colony from the first of November next to the first day of Nov^r in the year 1741 desiring the Concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time &

Ordered a second reading

Note, that the several Rasures made in this Bill & the words incerted in the stead as the same has been bro^t to the Council for their concurrence are as follow viz^t

In pa 3^d Line 1st the letters (ver) are wrote after raisure

In same page line 9th the words (mentioned be it enacted by) wrote after raisure

In D^o page Line 11th the words (november next severally) wrote after raisure and

In page 4th Line 2^d the letters (ver) and in same page Line 9th the words (the first day) are also wrote after raisure

A Message from the General Assembly by Mr Ludlow & Mr Gale with the Bill entitled, An Act to Enable the Justices of the peace living in that part of Orange County lying to the northward of the mountains for raising a sum not exceeding one hundred pounds for finishing & compleated the Court House & Goal in Goshen desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the s^d Bill was read the first time &

Ordered a second reading

In pa 2^d Line 11th of this Bill the words (Rules & Methods) are wrote after raisure

The Council resolved into a Comm^{tee} to consider of the four following Bills viz^t

The Bill entitled, An Act for returning stray Cattle & Sheep to their owners

The Bill entitled, An Act to continue An Act intituled, An Act to regulate the Militia of this Colony wth an addition thereto

The Bill entitled, An Act to continue An Act intituled, An Act to restrain Tavern Keepers and Inholders from selling strong Liquors to serv^{ts} & apprentices & from giving large Credit to others
The Bill entitled, An Act to Limitt the time of continuance of General Assemblies in this Colony

The Commée having duly weighed and considered the same & being ready to make their report thereon when the Council wo^d please to receive the same

The Speaker resumed the Chair

Ordered, that the s^d Report be made Immediately

Then Mr Horsmanden Chairman of the Commée (to whom the s^d four Bills were referred) in his place reported that the Commée had gone through the s^d Bills & had directed him to report the same without any amendment

Which Report on the Question being put was agreed to & approved of

Ordered, that the s^d four Bills be read the third time. further

Ordered, by the Council in Answer to a Message of the General Assembly of the 26th of Sep^r last relating to the ascertaining & establishing the fees of the sev^l officers wthin this Colony that the Honorable James De Lancey Esq, the Hono^{ble} Dan^l Horsmanden Esq, and the Hono^{ble} Henry Lane Esq be a Commée to meet the Commée of the Assembly and that they appoint for that purpose to morrow evening at 6 o'clock at the house of Robert Todd & also

Ordered, that the Hono^{ble} Daniel Horsmanden Esq do acquaint the Assembly therewith

Then the Council adjourned till Fryday next 11 o'clock in the forenoon

Fryday, October 10th, 1740.

The Council met according to adjournm^t

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

JAS DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for letting to farm the Excise on Strong Liquors retailed in this Colony from the first of November next to the first day of November in the year 1741 was read a second time & committed to the Gentlemen of the Council or any three of them

The Hono^{ble} Dan^l Horsmanden Esq according to order laid before the Board a Bill entitled, An Act for the returning of able & suff^t Jurors & for the better Regulation of Juries which was read the first time &

Ordered a 2^d reading

Then the Council adjourned till Monday next at 11 o'clock in the morning

Monday the 13th day of October, 1740.

The Council met according to adjournm^t

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for the returning of able & suff^t Jurors, and for the better regulation of Juries was read the 2^d time & committed to the Gentlemen of the Council or any three of them

Then the Council adjourned 'till to morrow at 3 o'clock P. M.

Tuesday, October 14th, 1740. P. M.

The Council met according to adjournm^t

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to Enable the Justices of the peace living in that part of Orange County lying to the northward of the mountains for raising a sum not exceeding one hundred pounds for finishing & Compleating the Court house & Goal in Goshen was read the 2^d time & committed to the Gentlemen of the Council or any three of them

The Council resolved into a Commée to consider of the three last foregoing Bills

The Commée having duly weighed and considered of the same Bills & being ready to make their report thereon when the Council wo^d please to receive the same

The Speaker resumed the Chair

Ordered, that the s^d Report be made Immediately

Then Mr Horsmanden Chairman of the Commée to whom the s^d three Bills were referred in his place reported that the Commée had gone through the same & had directed him to report the same without any amendm^t

Which Report on the question being put was agreed to & approved of.

Ordered, that the s^d three Bills be read the third time

Then the said three Bills were read the third time &

On the Question being put

Resolved, that the said three Bills do pass

The Bill entitled, An Act for returning Stray Cattle & Sheep to their owners was read the third time, and

On the question being put

Resolved, That the said Bill do pass.

Likewise the three following Bills viz^t The Bill entitled, An Act to Continue An Act entitled, An Act to Regulate the Militia of this Colony with an addition thereto The Bill entitled, An Act to continue An Act Intitled, An Act to restrain Tavern Keepers and Inholders from Selling Strong Liquors to Serv^{ts} and Apprentices & from giving large Credit to others The Bill entitled, An Act to Limitt the time of Continuance of General Assemblys in this Colony were read the third time, and

On the Question being put

Resolved, that the s^d three Bills do pass

Ordered, that the Honorable James De Lancey Esq do carry the Bill entitled, An Act for the returning of Able & Suff^t Jurors and for the better regulation of Juries to the General Assembly & to desire their Concurrence thereto

The Council adjourned till to morrow at 11 o'clock in the forenoon

Wednesday the 15th October, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A message from the Assembly by Coll Beekman & Mr Hardenbergh with the Bill entitled, An Act to encourage the destroying of Woolves & panthers in Dutches County & of Woolves in Ulster & Orange Counties desiring the Concurrence of the Council thereto

Ordered, that the s^d Bill be read

Then the said Bill was read the 1st time &

Ordered a 2^d reading

The Council adjourned 'till to morrow at 11 o'clock in the forenoon

Thursday, October 16th, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

J^A DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to encourage the destroying of Woolves & panthers in Dutches County & of Woolves in Ulster & Orange Counties was read the 2^d time & Committed to the Gentlemen of the Council or any three of them

The raisures in this Bill viz^t

In pa 1st Line 15th the letters (the Coun)

19th a raisure but nothing incerted

In pa 2^d Lines 8 & 9th the words (An oath & if a Quaker an affirmation in the words following)

11th the words (are an)

In pa 3^d Line 3^d the letters (ir) are wrote after raisure and

In pa 3^d Line 14th the word (aforesaid is interlined

The Council adjourned 'till to morrow at 11 o'clock in the forenoon

Friday, October 17th, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

M^r Horsmanden Chairman of the Commēe to whom was referred the Bill entitled, An Act to encourage the destroying of Woolves and panthers in Dutches County and of Woolves in Ulster & Orange Counties in his place reported that the Commēe having duly weighed and considered the said Bill had directed him to report the same without any amendment

Which Report on the question being put was agreed to & approved of

Ordered, that the said Bill be read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

The Council adjourned 'till Tuesday next at 11 o'clock in the forenoon

Tuesday, October 21st, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
DAN^t HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll Moore and M^r Roome with the Bill entitled, An Act to p^rvent abuses in the Repacking of Beef & Pork desiring the concurrence of y^e Council thereto

A Message from the Assembly by Cap^t Winne and M^r Livingston with the Bill entitled, An Act to enable the Mayor, Recorder & Aldermen of the City of Albany, & Justices of the peace

of the said City & County to build a new Court house & Goal for the said City & County desiring the concurrence of the Council thereto

A Message from the Assembly by Coll Moore & Mr Clarkson with the Bill entitled, An Act to cancell the Bills of Credit emitted in the years 1715, 1720, 1723 & 1724 desiring the concurrence of the Council thereto

A Message from the Assembly by Mr Cornell & Mr Pierson with the Bill entitled, An Act further to continue An Act Intitled, An Act to prevent the penning & folding of Sheep & Neat Cattle on Hempsted Plains desiring the concurrence of the Council thereto

A Message from the Assembly by Coll Moore & Mr Roome with the Bill entitled, An Act to repeal that part of An Act Intitled, An Act to lay a Duty on the Goods & a Tax on the Slaves therein mentioned during the time & for the use mentioned in the same, which imposes a Duty on Syder, pork & beef & to grant in lieu thereof a Duty on goods sold at Vendue desiring the concurrence of the council thereto

The Council adjourned till 4 o'clock P. M.

October 21st, 1740. P. M.

The Council met according to adjournment

PRESENT — *The Honorable* JAMES DE LANCEY, Esq, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The five last foregoing Bills read the first time and

Ordered, a second reading

The Council adjourned till Thursday next at 10 o'clock in the forenoon

Thursday the 23^d October, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned till 3 o'clock P. M.

October 23^d, 1740. P. M.

The Council met according to adjournment

PRESENT as before A M

The five last foregoing Bills were read the second time & comitted to the Gentlemen of the Council or any three of them

Present — Philip Cortlandt Esq

A Message from the Assembly by Mr Verplank & Mr Clarkson with the Bill entitled, An Act to pay the Reverend Mr Alexander Malcolm the sum of £111. 7. 6 out of the fund therein mentioned desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the s^d Bill was read the 1st time &

Ordered a 2^d reading

A Message from the Assembly by Mr Jones & Mr Nicol with the Bill entitled, An Act to apply the surplus therein mentioned towards Repaym^t of two thousand five hundred pounds granted for Transporting & victualling of voluntiers raised in this Colony on an Expedition ag^t the Spaniards desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the 1st time &

Ordered a 2^d reading

Mr Horsmanden Chairman of the Commée to whom were referred the five following Bills viz^t The Bill entitled, An Act to prevent abuses in the Repacking of Beef & pork The Bill entitled, An Act to enable the Mayor, Recorder & Aldermen of the City of Albany & Justices of the peace of the s^d City & County to build a new court house & Goal for the said City & County The Bill entitled, An Act to cancell the Bills of credit emitted in the years 1715, 1720, 1723 & 1724 The Bill entitled, An Act further to continue An Act Intitled, An Act to prevent the penning & folding of Sheep & Neat Cattle on Hempsted plains The Bill entitled, An Act to repeal that part of An Act Intitled, An Act to lay a Duty on the Goods & a Tax on the Slaves therein mentioned during the time & for the use mentioned in the same which imposes a Duty on Syder pork & beef & to grant in liew thereof a Duty on goods sold at vendue in his place reported that the Commée having gone through & duly weighed and considered of the same had directed him to report the same without any amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said five Bills be read the third time

The Council adjourned 'till to morrow at 11 o'clock in the forenoon

October 24th, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

The Hon^{ble} PHILIP CORTLANDT,

The Hon^{ble} HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Council adjourned 'till Monday next at 11 o'clock in the forenoon

Monday the 27th October, 1740.

The Council met according to adjournm^t

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act to pay the Reverend Mr Alexander Malcom the sum of £111. 7. 6 out of the fund therein mentioned was read the 2^d time and Committed to the Gen of the Council or any three of them

Then the Council resolved into a Commée to consider of the said Bill

The Commée having duly weighed & considered of the same & being ready to make their report thereon when the Council wo^d please to receive the same

The Speaker resumed the Chair

Ordered, that the s^d report be made imédiately

Then Mr Horsmanden Chairman of the Commée to whom the s^d Bill was referred in his place reported that the Commée had gone through the said Bill & had directed him to report the same without Any Amendment

Which Report on the Question being put was agreed to & approved of

Ordered, that the said Bill be read the third time

And as to the Bill entitled, An Act to Apply the Surplus therein mentioned towards Repayment of two thousand & five hundred pounds granted for Transporting & Victualling of Volunteers raised in this Colony on an Expedition ag^t the Spaniards

The Question was put (after its having been read this day the Second time & Committed)

Whether the said Bill should be read the third time or not?

It was Carried in the negative and

Ordered, that the said Bill be rejected

A Message from the Assembly by Coll Moore & Mr Le Count with the Bill entitled, An Act for & towards Supporting the Govern^t of this Colony by granting to his Majesty the Duties therein mentioned from the first day of Dec^r 1740 to the first day of December 1741 Desiring the Concurrence of the Council thereto

A message from the Assembly by Coll Renselaer & Cap^t Winne with the Bill entitled, An Act to Support the Garrison at Oswego, and to regulate the furr Trade in the County of Albany desiring the Concurrence of the Council thereto

A message from the Assembly by Mr Terbos & Mr Verplank with the Bill entitled, An Act for the better relief of the poor in Dutches County desiring the Concurrence of the Council thereto

A message from the Assembly by Coll Moore & Mr Clarkson with the Bill entitled, An Act to apply the monies granted for the support of this Govern^t in payment of the Several Sallaries & other allowances until the 1st day of Sep^r 1741 desiring the Concurrence of the Council thereto

Ordered, that the four last foregoing Bills be read

Then the s^d 4 Bills were read the 1st time &

Ordered a 2^d reading

The Council adjourned 'till to morrow at 3 o'clock P. M.

Tuesday the 28th October, 1740. P. M.

The Council met according to adjournment

PRES^t — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DAN^d HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The four last foregoing Bills read the Second time & Committed to the Gentlemen of the Council or any three of them

The Council adjourned till to morrow at 11 o'clock in the forenoon

Wednesday the 29th October, 1740.

The Council met according to adjournment

PRESENT — *The Hono^{ble}* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^d HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Council resolved into a Comm^{ee} to Consider of the four last foregoing Bill

The Comm^{ee} having duly weighed & Considered of the same & being ready to make their report thereon when the Council wo^d please to receive the same

The Speaker resumed the Chair

Ordered, that the said report be made immediately

Then Mr Horsmanden Chairman of the Committee to whom the said four Bills were referred in his place reported that the Comm^{ee} had duly weighed & considered of the same and had directed him to report the same without amendment

Which report on the Question being put was agreed to & approved of

Ordered, that the said four Bills be read the third time

Then the said Bills were read the third time and

On the Question being put

Resolved, that the said Bills do pass

The six following Bills viz^t The Bill to prevent abuses in the Repacking of beef & pork The Bill to enable the Mayor Recorder & Aldermen of the City of Albany & Justices of the peace of the said City & County to build a new Court house & Goal for the s^d City & County The Bill entitled, An Act to cancell the Bills of Credit emitted in the years 1715, 1720, 1723 & 1721 The Bill entitled, An Act further to continue An Act to prevent the penning & folding of Sheep & Neat Cattle on Hempsted plains. The Bill entitled, An Act to repeal that part of

An Act Intituled, An Act to lay a Duty on the Goods & a Tax on the Slaves therein mentioned during the time & for the use mentioned in the same, which imposes a duty on Syder, pork & beef & to grant in lieu thereof a Duty on goods sold at Vendue The Bill entitled, An Act to pay the Reverend Mr Alexander Malcom the sum of £111.7.6 out of the fund therein mentioned were read the third time &

On the Question being put

Resolved, that the said Bills do pass

Ordered, that the Honorable Philip Cortlandt, Henry Lane & Dan^l Horsmanden Esq^r do acquaint the General Assembly what Bills have passed the Council this Session

The Council adjourned till Monday next at 11 o'clock in the forenoon

Monday, November the 3^d, 1740.

The Council met according to adjournment

PRESENT — *The Honorable* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Lieutenant Governor being come to the Council Chamber at the City Hall sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance

The General Assembly accordingly attending wth their Speaker

His Honor in presence of the Council & General Assembly gave his assent to the following Bills viz^t

1. An Act to continue An Act Intituled, An Act to regulate the Militia of this Colony wth an addition thereto

2. An Act for letting to farm the Excise on Strong Liquors retailed in this Colony from the first of Nov^r next to the first day of November in the year 1741

3. An Act to enable the Justices of the peace living in that part of Orange County lying to the northward of the mountains for raising a sum not exceeding one hundred pounds for finishing & compleating the Court house & Goal in Goshen

4. An Act to encourage the destroying of Woolves & panthers in Dutches County & of Woolves in Ulster & Orange Counties

5. An Act to prevent abuses in the repacking of beef & pork

6. An Act to enable the Mayor Recorder & Aldermen of the City of Albany & Justices of the peace of the said City & County to build a new Court house & Goal for the s^d City & County

7. An Act to cancell the Bills of Credit emitted in the years 1715, 1720, 1723 & 1724

8. An Act to repeal that part of An Act to lay a Duty on the goods & a Tax on the Slaves therein mentioned during the time & for the use mentioned in the same which imposes a duty on Syder pork & beef & to grant in lieu thereof a Duty on goods sold at vendue

9. An Act to pay the Rev^d Mr Alexander Malcom the sum of £111.7.6 out of the fund therein mentioned

10. An Act for & towards supporting the Govern^t of this Colony by granting to his Majesty the Duties therein mentioned from the first day of December 1740 to the first day of December 1741

11. An Act to support the Garrison at Oswego & to regulate the furr Trade in the County of Albany

12. An Act for the better relief of the poor in Dutches County

13. An Act to apply the monies granted for the support of this Govern^t in payment of the sev^l salaries & other allowances until the first day of September 1741

The raisures in Bill No 5 viz^t

In pa 1st Line 18th the letter (N)

In pa 2 Line 19th the words (NEW YORK)

4th Line 5th the words (NEW YORK)

In same pa lines 17. 18. 19 & 20 the words (unsound or unmerchantable or of the produce of the aforesaid Colonies of North Carolina, Virginia or Maryland or any or either of them with any beef or pork branded with the New York Brand)

In pa. 5th Line 1st the words (NEW YORK) are wrote after raisure

The raisures in Bill No 6 viz^t

In page 1st Lines 22, 23, & 24th the words (that shall be appointed & named in the manner hereafter directed for building & erecting the Court house & Goal)

2^d line 2^d the words (after the)

line 19th the words (or the major part of them at)

3^d line 7th the words (the money)

16th the words (of the said) and in same page line 21st the word (French) are all wrote after raisure

The raisures in Bill No 8 viz^t

In pa 2^d line 15th the words (out cry)

No 10 The raisures in this Bill viz^t

In page 1st line 7th the word (General)

4th last line the words (case such) & in same line (not dye)

page 5th line 21st the words (name in the fourth (whether)

page 7th line 10th the words (out a) & the letters s : n)

8th lines 8 & 9th the words (shall be reported by the Importer or some other person)

page 10th line 21st the word (the) & the letters (Imper)

17th line 12th the word (earried)

20th line 15th the words (& the)

21st line 16th the words (that slaves) & in page

23^d line 22^d the words (the powers duties &) are all wrote after raisure

The Raisures in Bill No 11

In pa 1 Line 6 & 7 the words (and at the same time enables us to make very valuable returns to Great Britain But as the Funds granted)

In pa 2 line 2 the word (or)

Sa p^e 2^d line the 5 the words (said first)

pa 6 line the 6 the word (party)

pa 7 line the 7 the word (shall)

pa 11 line 8. the words (shall be)

pa 13 line 12 the word (shall)

15 the words (& to certify in the same that the)

pa 16 line 14 the word (Traders)

pa 23 line 13 the word (and)

pa 30 line 14 the word (France)

pa 34 line 16 the word (or—) and

In same pa line 21 the words (duties imported)

TWENTY-SECOND ASSEMBLY SIXTH SESSION.

At a Session of the Councill and Generall Assembly began at the City Hall, in New York, on Tuesday, the fourteenth day of April, 1741.

The Generall Assembly having stood adjourned to this day

The Councill met at the Councill Chamber

PRESENT — *The Honoble* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP COURTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Councill being informed that there were not a sufficient number of the members of y^e Generall Assembly in Town to make a House adjourned till to morrow morning ten of the clock

Wednesday the fifteenth day of Aprth, 1741.

The Council met according to adjournment

PRESENT — *The Honorable* CADWALLADER COLDEN, Esq, Speaker,

PHILIP COURTLANDT,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Lieutenant Governour being come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the Generall Assembly requiring their immediate attendance at the Council Chamber

The Generall Assembly accordingly attending with their Speaker

His Honour made a Speech to the Council and Generall Assembly and delivered one copy thereof to y^e Speaker of the Council and another copy to the Speaker of y^e Generall Assembly After which His Honour left y^e Council Chamber

Then the Speaker resumed y^e Chair

Ordered, that his Honors speech be read

Which being read accordingly it was further

Ordered, that the same be entred in the minutes and is in the words following viz^t

Gentlemen,

If you look back to the happy Revolution and call to mind the great & constant Protection that you have from that time received from the gracious and bountifull Hands of his present Majestye (whom God long preserve) and of his Royall predecessors in the Enjoyment of your civill and sacred Rights & priviledges, and in the security of your Trade and Defence of the Country at a vast Expence of the Crown you will find that you have been more highly favoured than any other of his Majestyes Provinces; and every thankfull Breast must acknowledge it deserves the highest Returns of Gratitude & Duty not in words but in Actions the only sure Evidence of the sincerity of men's Hearts. The People liv'd in ease and quiet under the most excellent Constitution of Government Every one Enjoying the fruit of his Labour without Molestation or fear of Oppression An happiness which none but his Majestye's Subjects know In a gratefull and dutifull acknowledgment whereof they for many years supported the Government in a manner conformable to that of the Parliament of England, like them too never questioning the Kings Royall Prerogative and undoubted right to appoint officers for the management of his Revenue But whether grown wanton by prosperity or whatever else it was they began to divert from the example of the parliament, demanding to have the nomination of a Treasurer for y^e Receipt & management of the mony to be given not for the Support of Government, but for extraordinary uses, & being Indulged in this, they soon grew in their demands, and insisted upon having the Revenue likewise put into his hands, it being constantly before managed by the Kings Officer, his Majesty's Receiver General, who had & still has a salary allowed him for that service, w^{ch} is paid out of his Majesty's Quit Rents. This prosperous beginning encouraged them to go on farther, & it was a bold & large stride they next took, they considered that notwithstanding they had the Nomination of a Treasurer, yet he was not so entirely under their direction & in their power, but y^t his Majesty's Auditor General had the Inspection & Controul of his Accounts; an Office of great distinction & of absolute necessity for his Majesty's service, Established in King Charles the seconds time & at present in a person of very high honour Intrest & Trust at home, of whose Influence the plantations have often felt & may as often feel y^e happy effects. Yet so inordinate is the thirst of power y^t no consideration how equitable, prudential or beneficial soever must stand in its way. Wherefore after the Expiration of y^e Revenue in 1709 w^{ch} till then, had been all along given without any perticular application, they resolv'd to get rid of all Restraint at once, & to attain their ends refused to suport the Government, unless they had the perticular Appointments of the Officers sallaries; thereby making themselves Judges what officers were proper, what not; In consequence whereof, among others they left the Auditor General without any Salary or Reward, altho' his Salary was established soon after y^e Revolution & Constantly paid, thus fixing on themselves y^e dependence of the Officers for whom they provided (for men are naturally servants to those who pay them) they in Effect subverted the Constitution assuming to themselves one undoubted & essential branch of his Majesty's Royall Prerogative. I would willingly perswade my self that nothing but the late Disorders which so much distracted the minds of the People kept them from returning to a just sense of their duty to his Majesty, & y^t now those disorders are happily ended, Sober and resonable Councils will take place & the example of y^t august body, the parliament, will be the Rule of your future actions, this & only this will remove as to this province, a jealousy which for some years has obtained in England, that the plantations are not without thoughts of throwing off their Dependence on the Crown of England I hope &

believe no man in this province has any such Intention, but neither my hopes nor belief will have the weight of your actions, & as you have it in your power, so it is your Duty & true Interest to do it effectually, by giving to his Majesty such a Revenue, & in such manner, as will enable his Majesty to pay his own Officers & Servants, whereby they will be reclaimed to their proper Dependence, & such as the flourishing Condition of the province will amply admit, wth from the great Increase of the trade & people, is well known to be vastly better than it was above forty years ago, when & for many years before & after, such a Revenue as I speak of, was given by the then Assemblies, at the same time that large sums of money were raised to pay detachments of the Militia which were sent to the frontiers for their defence in time of warr. The next thing I recommended to yo^r consideration is the Defence of the Province; for tho' all y^r human wisdom or fore sight could do to preserve us in Peace has been done, and wee have long enjoyed the blessings of it, yet if appearances at a distance deceive not, there is great cause to apprehend a speedy Rupture wth france: Yo^r situation therefore ought to awaken you to a timely provision against that event, in fortifying this Town in a better manner than it is at present, by erecting batteries in proper places, upon some of the wharfs facing the harbour, others upon the side of Hudsons River, adjoining to the Town, & one at Red Hook, upon Long Island to prevent the Enemy from landing upon Nuffen Island: you will see by his Majesty's Order, which I will communicate to you, that his Majesty has been graciously pleased of his great bounty & care of yo^r preservation, to order a large Quantity of stores of warr to be sent hither, among which is a great number of ordnance, so that the batteries to be built may be proportioned to the number of Ordnance proper for them, those of the smallest sizes being better suited to the frontier forts in the county of Albany; powder, ball (I say none of the forts having any at present) & whatever else is wanting for the Ordnance, the forts & batteries & general defence of the Province, you must provide in time, as well as for the expence that will unavoidably accrue on the arrival of the stores for carrying them to proper places mounting the guns & other necessary services. The house at Oswego being of the highest Importance to the furr-trade, ought by all means to be preserved from falling into the hands of the french, which it will do, if some speedy & effectual care be not taken to put it into a posture of defence; for which end it is necessary that it be surrounded wth strong & proper works, & that the Garrison be proportionably augmented. And if to his Majesties Troops in garrison there, a sufficient number of Indians of the Six Nations be added, it might have the best effect, especially if those Nations can be brought to let the Governour of Canada know that they have taken upon them to Defend it, as the only place where they can be supplied at a moderate rate, with such goods as their necessities require, which perhaps they may be induced to do, if they are dealt with in time & before an actual Rupture with france, and I am of opinion, it is absolutely necessary that I meet them as I will readily do, so soon as you enable me, not only for that purpose, but also, to confirm them in their fidelity to his Majesty which by the Intrigues of the french has of late years been much shaken, if wee tie them closely to us and there is no other way to do it than by presents, they will be our best barrier and the surest protection of the frontier settlements, at the least Expence, tho' it Cannot be expected but that it must be greater than in time of peace, both because it will be necessary they be oftener treated with & that the Commissioners of Indian Affairs be more amply supplied with money, as their occasions to employ Indians as spies upon the designs & motions of the Enemy will be more frequent. If you suffer Oswego to fall into the hands of the french, I much fear you will loose the Six Nations, an event which will expose the whole country to the merciless spoil and barbarous cruelty of a savage enemy, the miseries whereof a Neighbouring province has often felt nor could prevent at a vast Charge; wherefore at any expence Oswego ought to be maintained that the fidelity of the Six Nations may be Preserved, I have done my duty & discharged my conscience, in giving you this warning, do yours & save your country from ruin. At present, if any part of the Province should be invaded & money absolutely necessary for any service, even in such an Exigency I Cannot either wth or without the advice of the Council, draw for a penny, a circumstance well worth your consideration

Gentlemen,

The Militia ought to be put under some better Regulation in case of an invasion, nor should any man that is able to bear arms be exempted from serving & doing duty

An Agent in England to negotiate the affairs of the Province is always necessary, it is owing to the want of one that wee have not yet received the stores of warr & to the same cause you must Impute whatever other disadvantage you may feel by not having the affairs of the Province properly Represented, & duly solicited by some Gentleman, whose Integrity, abilities & person being well known to the ministry, will give him access to them at all times. I wish with all my heart, I had no more to say to you at this time, but how melancholy soever it be, I am obliged to mention to you the late fatal fire that laid in ashes the house, chapple, barracks & Secretary's office in his Majesty's fort in this Town, accidentally occasioned by mending a Gutter on the Roof of the House adjoining to the Chappel which having leaked all winter had much damaged & would soon have rotted the Timber & floors of that part of the house, so that what was intended for its preservation, unhappily turned to its destruction. I need not tell you how

necessary it is to have them speedily rebuilt, without doubt you are sensible of it & will make provision accordingly. The frequent fires which have happened in this Town, since that at the fort, giving room from many circumstances to believe they have been kindled by design, call for some effectual law to Restrain the two great licence that the Negro's are allowed, or that they take without it, in assembling in great numbers, & at times & in places that give them opportunitys of Caballing, & the great losses that have been sustained by means of those fires when Goods have been removed to preserve them from the flames, requires some method to secure them for the future from being stolen, a night guard of the Militia will be very proper, to be constantly kept on foot, especially in time of warr but they must be oblig'd to that Duty by proper Penalties, & provision ought to be made for billeting the men who may be ordered to this Town for its Defence whenever occasion requires

GEORGE CLARKE.

Then the Council adjourned till Fryday morning 11 of the clock

Fryday, Aprill 17th, 1741.

The Council mett according to adj^t

PRESENT — *The Honble* CADWALLADER COLDEN, Esq^r, Speaker,

PHILIP LIVINGSTON,
PHILIP COURTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned 'till Wednesday morning 11 of y^e clock

Wednesday the 22^d April, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* PHILIP LIVINGSTON, Esq, Speaker,

PHILIP COURTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adj^d till Wednesday y^e 29th of April 11 of y^e clock in y^e forenoon

Wednesday, the 29th of April, 1741.

The Council met according to adjournment

PRESENT — *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE, Esq^r,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Whereas by his Majestyes Instructions to y^e Governor or Comander in Chief of this Province for the time being It is required that not less than five Councillors shall make a Quorum, and as four of the Council are at this time absent on his Majestyes Especiall command attending the execution of a Comission for adjusting the boundaries between the Governments of y^e Massachusetts Bay and Rhode Island, By reason whereof there are no more than three of the Council left to dispatch the Business in this Session of Assembly, It is therefore

Ordered, that in case one of the three should be at any time absent, that the other two may adjourn the Council from time to time at any time as the nature of the case may require

Then the Council adjourned till Thursday the seventh day of May next 11 of the clock

Thursday the 7th May, 1741.

The Council met according to adjournment

PRESENT— *The Honble* HENRY LANE, Esq^r, Speaker,
DANIEL HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council then adjourned till Fryday the 15th day of May 11 of the clock of y^e forenoon

Fryday the fifteenth day of May.

The Council met according to adjournm^t

PRESENT— *The Honble* HENRY LANE, Esq^r, Speaker,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council then adjourned to Wednesday y^e 20th of May 11 of y^e clock of the forenoon

Wednesday, 20th May, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* HENRY LANE, Esq^r, Speaker,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Then the Council adjourned to Wednesday y^e 27th May 11 of y^e clock of y^e forenoon

Wednesday, 27th May, 1741.

The Council met according to adj^t

PRESENT — *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow 4 of y^e clock in the afternoon

Thursday 28th May, 1741.

The Council met according to adjournment

PRESENT — *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieutenant Governour attended as usuall being come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the Generall Assembly requiring their Immediate attendance

The Generall Assembly accordingly attending with their Speaker

His Honour made a speech to the Council and Generall Assembly and delivered one copy thereof to the Speaker of the Council and another copy to the Speaker of the Generall Assembly
 After which his Honor returned to his House
 Then the Speaker resumed the Chair
Ordered, that his Honours speech be read.
 Which being read accordingly further
Ordered, that the same be entred in the minnits and is in y^e words following viz^t

Gentlemen,

Since I spoke to you at the opening of this Session I have had the Honour to receive a Letter of y^e 4th of December last from his Grace the Duke of Newcastle his Majestyes most principall Secretarye of State signifying, That as it is probable that Recruits will be wanted for the forces under Lord Cathcart's command, or even that Lord Cathcart may write to have a greater number of Troops from North America than are at present sent to him It is his Majestyes commands that if Lord Cathcart should think proper to write to me for any number of men for Recruits, or for any other service, I should endeavour to raise them Wherefore it being probable that Generall Wentworth who succeeds Lord Cathcart in the command of his Majesties Forces in the West Indies, may in the time of your recess write to me for Recruits, or new Levies, I thought it necessary at this time to recommend to you to make provision for the victualling and transporting such number of men, as I may raise in obedience to his Majestyes commands for the purposes mentioned, lest if I wait till your next meeting before I recommend it to you His Majestyes service may suffer by delays You cannot more effectually show your zeal for his Majestyes Honor and service and the prosperity of this Province than by exerting yourselves on this occasion, and I hope the glorious Beginning already made by his Majestyes Forces will help to excite you to speedy and generous Resolutions.

GEO CLARKE.

25th May 1741

Then the Council adjourned to Tuesday next at 11 of the clock of the forenoon

Tuesday, 2^d June, 1741.

The Council met according to adjournment

PRESENT— *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,
 DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll Moore and M^r Clarkson with the Bill Entitled, An Act for the better fortifying of this Colony, and other the purposes therein mentioned desiring the concurrence of the Council thereto

Ordered, that the said Bill be read

Then the said Bill was read the first time

Ordered, that the said Bill be read a 2^d time to morrow

Then the Council adjourned till to morrow morning 11

Wednesday, 3^d June, 1741.

The Council met according to adjournment

PRESENT— *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,
 DANⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for the better fortifying of this Colony and other the purposes therein mentioned was read a second time and

Ordered, to be committed to the Gentlemen of y^e Council or any three of them

Then the Council adjourned till Monday morning next 9 of y^e clock

Monday, 8th June, 1741.

The Council met according to adjournment

PRESENT— *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,

DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll Moore & M^r Clarkson, with the Bill Entitled, An Act for the more Equall keeping Military Watches in the City of New York and for other the purposes therein mentioned desiring the concurrence of the Council thereunto

Ordered, that the said Bill be now read

Then the said Bill was read y^e first time

Ordered, that the said Bill be read a second time

Then the Council resolv'd themselves into a Committee on the Bill entituled, An Act for the better fortifying this Colony and other the purposes therein mentioned

The Cōmee having duly weighed and considered of the said Bill and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be made immediately

Then M^r Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the same and had directed him to report the same without any amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read a third time

Then the Council adjourned till Wednesday morning 9 of the clock

Wednesday, 10th June, 1741.

The Council met according to adjournment

PRESENT— *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill entitled, An Act for the better fortifying of this Colony and other the purposes therein mentioned was read the third time and

On the Question being put

Ordered, that the said Bill do pass

The Bill entitled, An Act for the more equall keeping Military watches in the City of New York and for other the purposes therein mentioned was read a second time and

Ordered, to be comitted to the Gentlemen of the Council or any three of them

Then the Council adjourned till to morrow morning 11 of the clock

Thursday, 11th June, 1741.

The Council met according to adjournment

PRESENT— *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council resolv'd into a Cōmee on the Bill Entitled, An Act for the more Equall keeping of Military Watches in the City of New York and for other the purposes therein mentioned

The Cōmee having duly weighed and considered of the said Bill and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, That the said Report be made immediately

Then Mr Horsmanden Chairman of the Cōmee to whom the said Bill was referred in his place reported that the Cōmee had gone through the same and had made severall amendments thereunto

Ordered, that the said Amendments be read

Then the amendments made to the said Bill were read and

On the Question being put were agreed to and approved of

Ordered, that the said Bill be read a third time as amended

Then the Councill adjourned till to morrow morning 11 of y^e clock

Fryday, 12th June, 1741.

The Councill mett according to adjournment

PRESENT — *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,

DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Bill entitled, An Act for the more equall keeping Military Watches in the City of New York and for other the purposes therein mentioned was read the third time as amended &

On the Question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Honble Daniel Horsmanden do carry the said Bill together with the amendments made by the Councill thereto to the Generall Assembly & desire their concurrence therewith

Ordered, that the Honble Daniel Horsmanden Esq^r do acquaint y^e Generall Assembly that y^e Councill have passed y^e Bill entitled, An Act for the better Fortifying of this Colony and other the purposes therein mentioned without any amendments

Then the Councill adjourned till to morrow morning 9 of y^e clock

Saturday, 13th June, 1741.

The Councell met according to adjournment

PRESENT — *The Honble* PHILIP COURTLANDT, Esq^r, Speaker,

HENRY LANE,

DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Col Moore & M^r Clarkson with the Bill entitled, An Act for the more Equall keeping Military Watches in the City of New York & for other the purposes therein ment^d and amendments thereunto & to acquaint the Councill that the Assembly had agreed to y^e amendments by them made thereto and to desire they will amend the Bill accordingly

Then the said Bill was amended accordingly

His Honour the Governour being come to the Councill Chamber sent a Message by the Deputy Clerk of the Councill to the Generall Assembly requiring their Imediate attendance

The Generall Assembly attending accordingly with their Speaker

His Honour in the presence of the Councill and Generall Assembly gave his Assent to the following Bills viz^t

An Act for the better fortifying of this Colony and other the Purposes therein mentioned

An Act for the more equall keeping Military Watches in the City of New York and for other the purposes therein mentioned

Then His Honour addressing himself to the Generall Assembly was pleased to say that after the Acts aforesaid were published the House might repair to their Assembly Chamber & adjourn itself to the third Tuesday in September next

After which his Honour attended as usuall went to the City Hall and there caused the aforesaid Acts to be published After which with the usual solemnity returned back to his House

Then the Councill returned to the Councill Chamber

PRESENT as before

The Speaker assumed the Chair

His Honour the Governour having directed the Generall Assembly to adjourn themselves to the third Tuesday in September next

The Councill therefore adjourned to the said third Tuesday in September next Then to proceed to Business without further notice

TWENTY-SECOND ASSEMBLY SEVENTH SESSION

At a Session of the Councill and Generall Assembly began at the City Hall in New York, on Tuesday the fifteenth day of September, 1741.

The Generall Assembly having stood adjourned to this day

The Councill met at the Councill Chamber

But there not being a sufficient number of the Members of the Generall Assembly in Town to make a House The Councill adjourned till Thursday the Seventeenth 10 of the clock

Thursday the 17th September, 1741.

The Councill met according to adjournment.

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

Mr CHIEF JUSTICE,
PHILIP COURTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honor the Lientenant Governour being come to the Councill Chamber sent a Message by y^e Deputy Clerk of the Councill to the Generall Assembly requiring their Imediate attendance at the Councill Chamber

The Generall Assembly accordingly attending with their Speaker His Honour made a Speech to the Councill & Generall Assembly and delivered one copy thereof to the Speaker of the Councill & another to the Speaker of the Generall Assembly

After which his Honour left the Councill Chamber

Then the Speaker resumed the Chair

The Councill adjourned till to morrow morning 11

Friday the 18th Sep^r, 1741.

The Councill met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

Mr CHIEF JUSTICE,
PHILIP COURTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that his Honour's Speech be read

Which being read accordingly it was further

Ordered that the same be entred in y^e minutes and is in the words following

Gentlemen,

At your last sitting I acquainted you that I had Received his Majesties commands to raise Recruits for his Majesties forces in the West Indies, & even new Troops, when the Generall should write for them I recommended it to you to make provision for victualing & transporting such a number of men as I might so raise, whereupon you resolved at your next meeting to take into consideration what may be proper to be done by this Colony in Relation to that part of my Speech which Related to Recruits for the Expedition against the Spaniards in the West Indies if Generall Wentworth or the Generall of those forces for the time being should in the mean while apply for such Recruits from the said Colony.

Gentlemen,

Generall Wentworth has wrote to me for Recruits & new forces, wherefore I now call upon you to come to a Speedy Resolution to provide Provisions & Transports for the men I may raise for that service his Majesties forces have now gained sure footing on the Island of Cuba, & you will be very much wanting in your Duty to his Majesty and to the Interest of this Province if you do not give all the assistance in your power to strengthen his Majesties Army there, which by the Divine Assistance may Enlarge their conquests to that Extent, as may give large and numerous settlements to such a Colony of People as may in time take off more of the Provisions of these Northern Provinces than all the other Islands in the West Indies, an event that will Increase & secure our Trade & Navigation & enrich you beyond all other means that can be devised.

Gentlemen,

You cannot be too careful to preserve by good laws the Reputation of bread & flour the staple commodities of the Province which when once lost it will be very difficult to Retrieve nor is less care required to prevent the Bakers and Bolters from committing frauds in the Tare of their Casks an evil at present very much complained of and calling for speedy redress

Gentlemen,

It is High time for you to make Provision for rebuilding the House, Chappel & the rest of the Barracks & Edifices in the fort that were Destroyed by the late fire kindled in consequence of the Horrid Result of an Execrable Conspiracy, to burn this whole Town & to Destroy the people which nothing but Divine Providence hindered from being fully executed nor do I think we ought now to rest in such supine security, as to be careless of our present & future safety, wherefore I think it necessary that the people be obliged by some good law to continue their Military Night Watches & the officers thereof authorized, under proper Regulations to preserve the City from all dangers in the night time which I recommend to your consideration, the Act lately passed for the more equall keeping Military Watches being by its own Limitation, soon to expire

Gentlemen,

There are severall things which I mentioned to you at your meeting in the month of April last, some whereof have not been at all & others not so fully considered & provided for by you as they ought I do therefore Referring you to what I then said, now again recommend those things to you. I cannot however, but in particular take notice to you that the Antient Loyal & dutifull method of giving a Revenue for a term of years & without applications has been too long disused which has much weaken'd the naturall constitution of the Government, and if not speedily remedied may involve the Country in many & almost Irrecoverable miseries. Those evils it is in your power to prevent by giving to his Majesty such a Revenue & for such term of years without particular applications of it as former Assemblies gave. Your Country is much more able to do it now than ever it was; it is what his Majesty expects from you, what a Governor will insist on as his predecessors have done, & as he in Reason ought & what I truly and sincerely think is your Interest, as it is your duty to do This is the last opportunity I shall have to speak to you & as I can consequently have no private views in it, that Injurious Insinuation which heretofore might take place in weak minds can now no where find Reception & every considerate man will from thence conclude that my urging you to give a Revenue, in the manner I mention, proceeds from the just sentiments of my heart, as I assure you they do from the affection I bear to y^e Province whose true Interest & happiness have been my daily study & constant care

GEO CLARKE.

Sept^r 17th 1711

Then the Councill adjourn'd till Wednesday morning next at 11 of y^e clock

Wednesday, 23^d Sep^r, 1741.

The Council met according to adjournment

PRESENT — *The Honourable* ARCH KENNEDY, Esq, Speaker,

Mr CHIEF JUSTICE,
Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The Speaker assumed the Chair

Then the Council adjourned till Wednesday morning the 30th Inst 11 of the clock

Wednesday, 30th Sep^r, 1741.

The Council met according to adjournment

PRESENT — *The Honourable* CADWALLADER COLDEN, Esq, Speaker,

Mr KENNEDY,
Mr CHIEF JUSTICE,
Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The Speaker assumed the Chair

Then the Council adj^d till Tuesday morning next 11 of y^e clock

Tuesday, Oct^r 6th, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

Mr CHIEF JUSTICE,
Mr COURTLANDT,
Mr LANE,
Mr HORSMANDEN.

The Speaker assumed the Chair

Then the Council adj^d till Thursday morning next 11

Thursday, Oct^r 8th, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adj^d till Wednesday Oct^r y^e 14th 11 of y^e clock of y^e Forenoon

Wednesday, Oct^r 14th, 1741.

The Council met according to adjournment

PRESENT—*The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till Fryday morning next 11 of y^e clock

Fryday Oct^r 16th, 1741.

The Council met according to adjournment

PRESENT *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DANⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by M^r Jones and M^r Pierson with the Bill Entituled, An Act to revive An Act Entituled, An Act to Restrain Tavern Keepers and Innholders from Selling Strong Liquors to Servants and Apprentices & from giving large Credit to others desiring the Concurrence of the Council thereunto

Ordered, that the said Bill be read

Then the said Bill was read the first time

Ordered, that the Said Bill be read a Second time

Then the Council adjourned till four of the clock in the afternoon

Fryday, Oct^r 16th, 1741. Post Merid

The Council met according to adjournm^t

PRESENT as before

The Speaker assumed the Chair

A Message from the Assembly by M^r Le Count and M^r Purdy with the Bill Entituled, An Act to continue An Act Entituled, An Act for & towards the supporting the Government of this Colony by granting to his Majestye the Duties therein mentioned from the first Day of December 1740 to the first Day of December 1741 desiring the Concurrence of the Council thereunto

Ordered, that the Bill be read

Then the said Bill was read the first time

Ordered that y^e said Bill be read a second time

Then the Council adjourned till to morrow morning 10 of the clock

Saturday, Oct^r 17^e, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieut^e Governour attended as usual being come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the Generall Assembly requiring their Immediate attendance at the Council Chamber

The Generall Assembly attending accordingly with their Speaker

His Honour address'd himself to them as followeth

Gentlemen,

I have sent for you to put an End to this present Sessions and to prorogue you till Monday next and I do accordingly prorogue you till next Monday, when you are to meet and proceed upon the Business I have before recommended to you

*At a Session of the Council and Generall Assembly begun (according to Prorogation)
at the City Hall in New York, on Monday the nineteenth day of Oct^r, 1741.*

The Council and Generall Assembly having stood Prorogued to this day
The Council met at the Council Chamber

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned to Fryday the 23^d 11 of the clock

Fryday, Oct^r 23^d, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adj^d to Tuesday morning 11 of the clock

Tuesday, Oct^r 27th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAth HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Col Schuyler and M^r Hardenbergh with the Bill Entitled, An Act to Continue An Act Entitled, An Act for and towards supporting the Govern^{mt} of this Colony by granting to his Majesty the Duties therein mentioned from the first Day of December 1740 to the first Day of Dec^r 1741 Desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time

Ordered, that the said Bill be read a 2^d time

A Message from the Assembly by Alderman Roome & Alderman Moore with the Bill Entitled, An Act for the more Equall & Orderly keeping a suffic^t Night Watch in the City of New York and to enable the Corporation of the said City to raise the sum of five hundred and seventy four Pounds twelve shillings to defray the Charge thereof & for other the purposes thereinmentioned desiring the concurrence of the Council thereto

Also A Message from the Assembly by M^r Le Count and M^r Stillwell with the Bill entitled, An Act to enable the Justices of the Peace in the County of Richmond to finish and compleat their Court House desiring the Concurrence of the Council thereto

Ordered, that the said Bills be read

Then the said Bills were read the first time

Ordered, that the s^d Bills be read a 2^d Time

Then the Council adjourned to Thursday morning next 10 of the clock

Thursday, Oct^r 29th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAth HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Cap^t Livingston & M^r Bradt with the Bill entitled, An Act to Let to Farm the Excise on Strong Liquors retailed in this Colony for one year Ending the first Day of November 1742 Desiring the concurrence of the Council thereunto

Ordered, that the said Bill be read

Then the said Bill was read the first time

Ordered, that the Said Bill be read a 2^d Time

A Message from the Assembly by Col^o Moore & Col^o Lott with the Bill Entitled, An Act to continue An Act entitled, An Act to regulate the Militia of this Colony with a further addition thereto Desiring the concurrence of the Council thereunto

Ordered, that the said Bill be read

Then the said Bill was read the first Time

Ordered, that the said Bill be read a 2^d time

A Message from the Assembly by M^r Jones & M^r Haasbrook with the Bill Entitled, An Act to revive An Act Intituled, An Act to Restrain Tavern Keepers and Innholders from selling Strong Liquors to Servants and Apprentices and from giving large Credit to others

Ordered, that the said Bill be read

Then the said Bill was read the first time

Ordered, that the said Bill be read a 2^d Time

Ordered, that the Bill Entitled, An Act to continue An Act Entitled, An Act for and towards supporting the Government of this Colony by Granting to his Majesty the Duties

therein mentioned from the first Day of December 1740 to the first Day of December 1741 be now read a Second Time

Then the said Bill was read a second Time

Ordered, that the said Bill be Comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act for the more Equall and orderly keeping a sufficient Night Watch in the City of New York and to enable the Corporation of the said City to Raise the sum of five Hundred & Seventy four Pounds twelve shillings to defray the Charge thereof and for other the purposes therein mentioned be now read a second time

Then the said Bill was read the Second time and

Ordered, to be comitted to a Cōmee of the Councill or any 5 of them

Ordered, that the Bill Entitled, An Act to enable the Justices of the Peace in the County of Richmond to finish and Compleat their Court House be now read a Second time

Then the said Bill was read a Second Time &

Ordered to be Comitted to the Gentlemen of the Councill or any 5 of them

Then the Councill resolved themselves into a Committee on the at^d three Bills

The Committee having duly weighed and considered of the said Bills and being ready to make their Report thereon when the Councill would please to receive the Same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then M^r Horsmanden Chairman of the Cōmee to whom the said Bills were referred in his place reported that the Committee had gone through the same and had directed him to report them witho^t Amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the Said Bills be read a third time

A message from the Assembly by M^r Cernell and M^r Pierson with a Bill Entitled, An Act for Returning Neat Cattle and Sheep to their owners desiring the Concurrence of y^e Councill thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first Time

Ordered, that the said Bill be read a 2^d time

Then the Council adjourned 'till Monday morning next 11 of the clock

Monday, Nov^r the 2^d, 1741.

The Councill met according to adjournment

PRESENT—*The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DAⁿ HORSMANDEN, Esq^{rs}.

A Message from the Assembly by M^r Verplank and M^r Terbos with a Bill Entitled, An Act to continue An Act Entitled, An Act to prevent Small Stallions running at Large in the Colony of New York and to Geld such as shall be under the size therein mentioned desiring the concurrence of the Councill thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time

Ordered, that the said Bill be read a second Time

Ordered, that the Bill Entitled, An Act to continue An Act Intitled, An Act to regulate the Militia of this Colony with a further addition thereto be now read a second time

Then the said Bill was read a second Time &

Ordered to be Comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act to Let to Farm the Excise on Strong Liquors Retailled in this Colony for one year Ending the first day of November 1742 be now read a second time

Then the said Bill was read a second time and

Ordered to be Comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act to Revive An Act Entitled, An Act to restrain Tavern Keepers and Inn holders from selling Strong Liquors to Servants & Apprentices and from giving large Credit to others, be now read a second Time

Then the said Bill was read a second time and

Ordered, to be comitted to the Gentlemen of the Councill or any five of them

Then the Councill adjourned till to morrow morning 11 of the clock

Tuesday, Nov^r 3^d, 1741.

The Council met according to adjournment

PRESENT— *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to continue An Act to prevent small stallions running at large in the Colony of New York and to Geld such as shall be under the size therein mentioned be read a second Time

Then the said Bill was read a second time and

Ordered, to be Comitted to the Gentlemen of the Council or any five of them

A Message from the Assembly by Mr Alderman Moore and Alderman Roome with the Bill entitled, An Act for mending and keeping in repair the Post Road from New York to Kings Bridge desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time &

Ordered to be read a second time

A Message from the Assembly by Mr Pierson and Mr Nicoll with a Bill Entitled, An Act to Alter the Highway or publick Road from the West to the East part of David Coreys Land running along the Clift or Bank thereof Desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time &

Ordered to be read a second Time

A Message from the Assembly by Alderman Moore & Aldⁿ Roome with a Bill Entitled, An Act for mending and keeping in Repair the Publick Wells and Pumps in the City of New York desiring the concurrence of the Council thereto

Ordered, that the s^d Bill be now read

Then the said Bill was read the first Time and

Ordered to be read a second Time

A Message from the Assembly by Mr Terbos and Mr Gale with a Bill Entitled, An Act to prevent the Killing of Deer out of season desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first Time &

Ordered, that the said Bill be read a second time

Then the Council adjourned till to morrow morning 11 of the clock

Wednesday, Nov^r 4th, 1741.

The Council met according to adj^t

PRESENT— *The Honble* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP COURTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to continue An Act Intituled, An Act for and towards supporting the Government of this Colony by Granting to his Majesty the Duties therein mentioned from the first day of December 1740 to the first day of December 1741 be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

The words [Intituled An Act] wrote on a rasure on the Eight Line of the foregoing Bill

Ordered, that the Bill Entitled, An Act for the more Equall and Orderly keeping a sufficient night Watch in the City of New York and to enable the Corporation of the said City

to raise the sum of Five hundred and seventy four pounds twelve shillings to defray the Charge thereof and for other the purposes therein mentioned be now read a third time

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entitled, An Act to enable the Justices of the Peace in the County of Richmond to finish and compleat their Court House be now read a third time

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Daⁿ Horsmanden Esq^r do acquaint the Generall Assembly that the Councill have past the s^d Bills without any amendment

Then the Councill resolved themselves into a Committee on the Bill Entitled, An Act to Let to Farm the Excise on Strong Liquors Retaild in this Colony for one year ending the first day of December 1742, and on the Bill Entitled, An Act to revive An Act Intituled, An Act to restrain Tavern keepers and Innholders from selling Strong Liquors to Servants and Apprentices and from giving large Credit to others, and on the Bill Entitled, An Act to continue An Act Intituled, An Act to Prevent Small Stallions running at large in the Colony of New York and to Geld such as shall be under the size therein mentioned

The Committee having duly weighed and considered of the said Bills and being ready to make their report thereon when the Councill would be pleased to recieve the same

The Speaker reassumed the Chair

Ordered, that the said Report be made Imed^y

Then Mr Horsmanden Chairman of the Cōmee to whom the said Bills were referred in his place reported that they had gone through the same and had directed him to report them without amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the s^d Bills be read a 3^d time

Ordered, that the Bill Entitled, An Act to alter the publick Road from the West to the East part of David Corey's Land running along the Clift or Bank thereof be now read a second time

Then the said Bill was read a 2^d time

Ordered, that the said Bill be Comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act for returning Neat Cattle and Sheep to their owners be now read a second time

Then the said Bill was read a second time and

Ordered, to be comitted to the Gentⁿ of the Councill or any 5 of them

Ordered, that the Bill Entit^d, An Act for mending & keeping in Repair y^e Post Road from New York to Kings Bridge be read a 2^d time

Then y^e s^d Bill was read a 2^d Time & comitted to the Genⁿ of the Councill or any 5 of them

Ordered, that the Bill entitled, An Act to prevent the killing of Deer out of season be read a 2^d time

Then y^e s^d Bill was read the 2^d time and

Ordered, that the said Bill be committed to the Gentⁿ of the Councill or any five of them

Then the Councill adjourned till three of the clock in the afternoon

Wednesday, Nov^r 4th, 1741. Post Merid.

The Councill met according to adjournm^t

PRESENT as before

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to Let to Farm the Excise on Strong Liquors retaild in this Colony for one year Ending the first day of November 1742 be now read a third time

Then the said Bill was read y^e 3^d Time and

On the Question being put

Resolved, that the said Bill do pass

The Razures in the foregoing Bills are as follow

For 7 Lin 13 the words [Penalty is sooner discharged and] wrote on a razure

For 8 Lin 18 The words [and that all other] wrote on a Razure

Ordered, that the Bill Entitled, An Act to Revive An Act Intituled, An Act to restrain Tavern keepers and Innholders from selling Strong Liquors to Servants and Apprentices and from giving large Credit to others be now read a third time

Then the s^d Bill was read a third time and

On the Question being put

Resolved, that the s^d Bill do pass

Ordered, that the Bill entitled, An Act to continue An Act Entitled, An Act to prevent small Stallions running at large in the Colony of New York and to Geld such as shall be under the size therein mentioned be read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Then the Council resolved themselves into a Committee on the Bill Entitled, An Act to prevent the Killing of Deer out of season and on the Bill Entitled, An Act for mending and keeping in Repair the publick Wells and Pumps in the City of New York and also on the Bill Entitled, An Act for mending and keeping in Repair the Post Road from New York to Kings Bridge

The Committee having duely weighed and considered of the said Bills & being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker reassumed the Chair

Ordered, that the said Report be now made

Then Mr Horsmanden Chairman of the Committee to whom the said Bills were referred in his place reported that they had gone through the same and had directed him to report the Bill Entitled, An Act to prevent the Killing of Deer out of season, and the Bill Entitled, An Act for mending & keeping in Repair the Post Road from New York to Kings Bridge without any amendment

Which Report on the Question being put was agreed to and approved of and

Ordered, that the s^d Bills be read a third time

And further Reported the Bill Entitled, An Act for mending and keeping in Repair the Publick Wells and Pumps in the City of New York with an amendment thereto

Ordered, that the said Amendment be read

Then the said Amendment made to the said Bill was read and

On the Question being put was agreed to and approved of and

Ordered, that the said Bill be read a third time as Amended

Then the Council adjourned to Fryday morning Eleven of the clock

Fryday, Nov^r 6th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DANIELL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Mr Haasbrook and Mr Hardenbergh with a Bill Entitled, An Act for dividing the Southern part of the County of Ulster into Precincts and to enable the Corporation of Kingston and the Manner of Fox Hall to Chuse and elect one Supervisor desiring the concurrence of the Council thereunto

Ordered, that the Said Bill be now read

Then the Said Bill was read the first time and

Ordered to be read a Second time

A Message from the Assembly by Mr Pierson & Mr Nicoll with a Bill Entitled, An Act to encourage the destroying of Wild Catts in the County of Suffolk Desiring the Concurrence of y^e Council thereunto

Ordered, that the Said Bill be now read

Then the Said Bill was read the first time and

Ordered to be read a Second time

Then the Council resolved themselves into a Committee on the Bill Entitled, An Act to Continue An Act Intituled, An Act to regulate the Militia of this Colony with a further addition thereto and also on the Bill Entitled, An Act for returning neat Cattle and Sheep to their owners

The Committee having duely Weighed and Considered of the said Bills and being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then Mr Horsmanden Chairman of the Committee to whom the said Bills were referred in his place reported that they had gone through the same and had directed him to report the Bill Entitled, An Act to regulate the Militia of this Colony with a further addition thereto with Severall Amendments thereto

Then the Said Amendments were read and

On the Question being put were agreed to and approved of and

Ordered, that the said Bill be read a third time as amended

Then Mr Horsmanden further reported the Bill Entitled, An Act for Returning Neat Cattle and Sheep to their owners with an Amendment thereto

Then the s^d Amendment was read &

On y^e Question being put was agreed to and approved of &

Ordered, that the Said Bill be read a third time as Amended

Ordered, that the Bill Entitled, An Act for mending and keeping in Repair the Post Road from New York to Kings Bridge be now read a third time

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Henry Lane Esq^r do acquaint the Generall Assembly that the Council have passed the said Bill without any amendment and also that the Council have passed the Bill Entitled, An Act to let to Farm the Excise on Strong Liquors retailed in this Colony for one year Ending the first day of November 1742, and the Bill Entitled, An Act to continue An Act Entitled, An Act to prevent Small Stallions running at large in the Colony of New York and to Geld such as shall be under the size therein mentioned and also the Bill Entitled, An Act to revive An Act Entitled, An Act to restrain Tavern keepers and Innholders from selling Strong Liquors to Servants and Apprentices and from giving large Credit to others without any amendment

Ordered, that the Bill Entitled, An Act to prevent the Killing Deer out of season be read a third time

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill do pass

Then the Council adjourned till to morrow morning 10 of the clock

Saturday, Nov^r 7th, 1741.

The Council met according to adjournment

PRESENT—*The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Governour being come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the Generall Assembly requiring their Immediate attendance

The Generall Assembly attending accordingly with their Speaker

His Honour in the presence of the Council and Generall Assembly gave his Assent to the following Bills viz^t

An Act to continue An Act Intituled, An Act for and towards supporting the Government of this Colony by Granting to his Majesty the Duties therein mentioned from the first Day of December 1740 to the first Day of December 1741

An Act to Let to Farm the Excise on Strong Liquors retailed in this Colony for one year Ending the first day of November 1742

An Act for the more Equall & Orderly keeping a Sufficient Night Watch in the City of New York and to enable the Corporation of the said City to raise the sum of five hundred and seventy four Pounds twelve shillings to Defray the charge thereof and for other the purposes therein mentioned

An Act for mending and keeping in Repair the Post Road from New York to King's Bridge

An Act to Revive An Act Intituled, An Act to restrain Tavern Keepers and Innholders from Selling Strong Liquors to Servants and Apprentices and from giving large Credit to others

An Act to continue An Act Intituled, An Act to prevent Small Stallions running at large in the Colony of New York and to Geld such as shall be under the size therein menc^d

An Act to Enable the Justices of the Peace in the County of Richmond to finish and compleat their Court House

After which His Honour attended as usual went to the City Hall and there caused the aforesaid Acts to be published and with the usual Solemnity returned back to his house

Then the Council returned to the Council Chamber

PRESENT as before

The Speaker assumed the Chair

Then the Council adjourned till Monday morning 11 of y^e clock

Monday, Nov^r 9th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to Encourage the Destroying of Wild Cats in the County of Suffolk be read a second time

Then the said Bill was read a second time and

Ordered, to be comitted to the Gent^l of the Council or any three of them

Ordered, that the Bill Entitled, An Act for dividing the southern part of the County of Ulster into Precincts and to enable the Corporation of Kingston and the mannor of Fox Hall to Chuse and Elect one Supervisor be read a second time

Then the said Bill was read a second time and comitted to the Gentlemen of the Council or any five of them

Ordered, that the Bill Entitled, An Act to continue An Act Intituled, An Act to Regulate the Militia of this Colony with a further addition thereto be read a third time as amended

Then the said Bill was read a third time &

On the Question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Bill Entituled, An Act for returning neat cattle and sheep to their owners be read a third time as amended

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Bill Entituled, An Act for mending and keeping in Repair the Publick Wells and Pumps in the City of New York be now read a third time as amended

Then the s^d Bill was read a third time &

On the Question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Honble Da^{ll} Horsmanden Esq^r do carry the said Bills to the Generall Assembly together with the amendments made by the Council thereunto and acquaint them that the Council have passed the said Bills with the said amendments to which they desire their concurrence

Then the Council adjourned till to morrow morning 11 of the clock

Tuesday, Nov^r 10th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker.

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A Message from the Assembly by Col Philipse and M^r Purdy with the Bill Entituled, An Act for Returning Neat Cattle and Sheep to their owners & the amendm^t made thereto and to

acquaint the Council that the Assembly had agreed to the amendments by them made and to desire they would amend the Bill accordingly

Then the said Bill was accordingly amended

A Message from the Assembly by Mr Ludlow and Mr Purdy with the Bill Entitled, An Act for mending and keeping in Repair the Publick Wells and Pumps in the City of New York & the amendments thereto and to acquaint the Council that y^e Assembly had agreed to the amendments by them made and to desire they would amend the Bill accordingly

Then the said Bill was amended accordingly

The Council adj^d till to morrow morning 11 of the clock

Wednesday, Nov^r 11th, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council resolved themselves into a Com^{tee} on the Bill Entitled, An Act to Encourage the destroying of Wild Catts in the County of Suffolk and on the Bill Entitled, An Act to alter the High Way or Publick Road from the West to the East part of David Corey's Land

The Committee having duely weighed & considered of the said Bills and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Then the Honble Danⁿ Horsmanden Esq^r Chairman of the Com^{tee} to whom the said Bills were referred in his Place reported that they had gone through the same and had directed him to report them with^t amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bills be read a third time

Then the said Bills were read a third time and

On the Question being severally put

Resolved, that the said Bills do pass

Ordered, that the Honble Phil^p Cortlandt Esq do acquaint the Generall Assembly that the Council have passed the said Bills with^t amendment as also the Bill Entitled, An Act to prevent the Killing of Deer out of season without amendm^t

A Message from the Assembly by Col^o Moore & Mr Nicoll with a Bill Entitled, An Act for the Returning of able and suff^t Jurors and for the better Regulation of Juries desiring the concurrence of the Council therunto

Ordered, that the said Bill be now read

Then the said Bill was read the first time and

Ordered to be read a second time

Then the Council adjourned till to morrow morning 11 of the clock

Thursday, Nov^r 12th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq., Speaker,

PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act for the returning of able and sufficient Jurors and for the better regulation of Juries be now read a second time

Then the said Bill was read a second time and

Ordered to be committed to the Gentlemen of the Council or any five of them

The Council adj^d till to morrow morning 11 of the clock

Friday, Nov^r 13th, 1741

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adj^d till three of the clock in the afternoon

Friday, Nov^r 13th, 1741. Post Merid

The Council met according to adjournm^t

PRESENT as before

The Speaker assumed the Chair

Then the Council resolved themselves into a Committee on the Bill Entitled, An Act for dividing the Southern part of the County of Ulster into Precincts and to Enable the Corporation of Kingston and the Manor of Fox Hall to chuse and Elect one Supervisor

The Committee having duly weighed and considered of the said Bill and being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Danⁿ Horsmanden Esq^r Chairman of the Committee to whom the said Bill was referred Reported that they had gone through the same and had directed him to report it with Severall Amendments and with an Amendm^t to the Title thereof

Then the Said Amendments were read and

The Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read a third time as amended

Then the Said Bill was read a third time &

On the Question being put

Resolved, that the Said Bill as amended do pass

Ordered, that the Honble Daniell Horsmanden Esq^r do carry the said Bill together with the Amendments, to the Generall Assembly and acquaint them that the Council have passed the said Bill with the said Amendments to which they desire their Concurrence

Then the Council adjourned to Monday next 4 of the clock in the afternoon

Monday, Nov^r 16th, 1741. 4 P^m Merid

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council resolved themselves into a Com^{tee} on the Bill Entitled, An Act for the Returning of able and Sufficient Jurors and for the better Regulation of Juries

The Committee having duly weighed and considered of the said Bill and being ready to make their Report thereon when the Council would be pleased to receive the same

Ordered, that the said Report be now made

Then the Honble Daⁿ Horsmanden Esq^r Chairman of the Committee to whom the said Bill was referred in his place reported that the Com^{tee} had gone through the Bill and had directed him to report the same without Amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read a third time

Then the said Bill was read a third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Daniell Horsmanden Esq^r do acquaint the Assembly that the Council have passed the said Bill without any amendment

Then the Council adjourned till to morrow morning 11 of the clock

Tuesday, Nov^r 17th, 1741.

The Council met according to adjournment

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

PHILIP COURTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Alderman Moore and Alderman Roome with the Bill Entitled, An Act to oblige all Persons that shall come to Inhabit or Reside in the City of New York in order to Expose any Goods, Wares or Merch^s to Sale at any time after the annual assessment made for the Tax for the maintenance of the Minister and Poor of the said City to Pay their due Proportion towards the same desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time and

Ordered, that y^e s^d Bill be read a second Time

A Message from the Assembly by Col^o Moore and M^r Clarkson with the Bill Entitled, An Act to continue An Act Intituled, An Act to regulate the Militia of this Colony with a further addition thereto and the amendment made by the Council thereto and to acquaint the Council that the Assembly had agreed to the amendments by them made and to desire they would amend the Bill accordingly

Then the said Bill was accordingly amended

Then the Council adjourned till to morrow four of the clock in y^e afternoon

Wednesday, Nov^r 18th, 1741. P^t Merid.

The Council met according to adjournment

PRESENT — *The Honble* PHILIP COURTLANDT, Esq, Speaker,

HENRY LANE, Esq^r,

DAN^l HORSMANDEN, Esq^r.

Ordered, that the Bill Entitled An Act to oblige all persons that shall come to Inhabit or Reside in y^e city of New York in order to Expose any Goods, Wares or Merchandize to sale at any time after the Annual assessment made for the maintenance of the Minister and Poor of the said city to pay their due proportion towards the same be now read a second time

Then the said Bill was read a second time and

Ordered, to be committed to the Gentlemen of the Council or any three of them

A Message from the Assembly by Alderman Roome and Col^o Beekman with the Bill Entitled, An Act in addition to An Act Entitled, An Act to prevent Vagrant and Idle Persons from being a charge and Expence to any the Counties, Cityes, Towns, Manors & Precincts within this Province desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time and

Ordered to be read a second time

A Message from the Assembly by Col^o Moore and M^r Clarkson with a Minute of the Assembly of yesterday which is in the following words

Die Martis 17th Nov^r 1741

“ The House being unanimously of opinion that there cannot be a more proper time than the present, humbly to address his Majesty that a sum may be graciously granted sufficient for
“ Erecting a House & other buildings suitable for His Governors here, instead of those that have
“ been destroyed in the Fort by the late wicked conspiracy as the Honble Gentlemen who is

“ appointed Governour in Chief of this Colony, is like to be in England whilst the Parliament is sitting, who doubtless will have the goodness to be zealous in Solliciting that the good Effect of such an Address may be obtained It is therefore

“ *Ordered*, that Col^o Moore and M^r Clarkson do acquaint the Gentlemen of the Council with this Minute of the House, and to desire that if they are of the same opinion they will request his Honour the Lieut. Governour to Join therein and then be pleased to present such an Address as aforesaid and to assure them that the members of this House will cheerfully Join therein conformable to what they signified in their address to the said Lieut^e Governour on the 30th September last

The Council adj^d 'till to morrow morning 11 of the clock

Thursday, Nov^r 19th, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, That the Bill Entitled, An Act in addition to An Act Entitled, An Act to prevent Vagrant and Idle Persons from being a charge & Expence to any the Counties, Cities, Towns, Manors & Precincts within this Province be now read a second time

Then the said Bill was read a second time & comitted to the Gentlemen of the Council or any five of them

Then the Council adj^d 'till four of the clock in the afternoon

Thursday, Nov^r 19th, 1741. Post Merid.

PRESENT as before

A Message from the Assembly by Col^o Moore and M^r Cornell with the Bill Entitled, An Act to Restrain disorderly & unlawfull Gaming Houses in the Colony of New York desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first Time &

Ordered to be read a second time

Then y^e Council adj^d till to morrow morning 11

Friday, Nov^r 20th, 1741.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by M^r Pierson & M^r Stilwell with the Bill Entitled, An Act to Revise Digest and Print the Laws of this Colony from the happy Revolution desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time &

Ordered to be read a second time

Then the Council adj^d till 4 of the clock in the afternoon

Friday, Nov^r 20th, 1741. Post Merid.

The Councill met according to adjournm^t

PRESENT as before

The Speaker assumed the Chair

A Message from the Assembly by Col^o Moore and Mr Clarkson with the Bill Entitled, An Act to apply the monies granted for the support of this Government For payment of y^e salaries, services & contingencies therein mentioned untill the first of September one thousand seven hundred and forty two and for Transporting Recruits to the West Indies desiring the concurrence of the Councill thereto

Ordered, that the Said Bill be now read

Then the Said Bill was read a first time and

Ordered to be read a Second time

Ordered, that the Bill Entitled, An Act to Revise Digest and Print the Laws of this Colon from the happy Revolution be now read a second time

Then the said Bill was read a second time and

Ordered to be comitted to the Gentlemen of the Councill or any five of them

Then the Councill adjourned till Monday morning 10 of the clock

Monday, Nov^r 23^d, 1741.

The Councill met according to adjournm^t

PRESENT — *The Honble* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to apply the monies granted for Support of this Government For payment of the Salaries Services and Contingencies therein mentioned untill the first of September One thousand Seven hundred and forty two and for Transporting Recruits to the West Indies be now read a Second time

Then the said Bill was read a second time &

Ordered to be Comitted to the Gentlemen of the Councill or any five of them

Then the Councill resolved themselves into a Committee on the said Bill and also on the following Bills viz^t A Bill Entitled, An Act to Restrain Disorderly and Unlawfull Gameing Houses in the Colony of New York and a Bill Entitled, An Act to oblige all Persons that shall come to Inhabit or Reside in the City of New York in order to expose any Goods, Wares or Merchandizes to Sale at any time after the annual assessment made for the Tax for the maintenance of the Minister & Poor of the Said City to pay their due proportion towards the same

The Committee having duely weighed & considered of the Said Bills and being ready to make their Report thereon when the Councill would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the Said Report be now made

Then the Honble Daⁿ Horsmanden Esq Chairman of the Committee to whom the Said Bills were referred in his place reported that the Committee had gone through the Said Bills and had directed him to report them with^t Any Amendment

Which Report on the Question being severally pnt was agreed to and approved of

Ordered, that the Said Bills be read a third time

The Councill resolved themselves into a Committee on the Bill entitled An Act in addition to An Act Entitled, An Act to prevent vagrant & idle persons from being a charge and expence to any of the Counties, Cities, Towns, Manors and precincts within this province

The Committee having duely weighed & Considered of the Said Bill and being ready to make their Report thereon when the Councill would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daⁿ Horsmanden Esq Chairman of the Committee to whom the Said Bill was referred in his place reported that the Committee had gone through the same and had directed him to report it with an Amendment

Then the said Amendment was read and

On the Question being put

Was agreed to and approved of and

Ordered, that the said Bill be read a third time

The Honble Archibald Kennedy Esq^r left the Council

The Honble Philip Cortlandt Esq^r assumed y^e Chair

The Council took into consideration the Message from the General Assembly Dated the 17th Inst^d and

Ordered thereupon, that the Honble Philip Cortlandt and Dan^l Horsmanden Esq^{rs} be a Committee to join a Committee of the General Assembly in order to wait upon his Honour the Lieut Governor and request him to join in an humble address to his Majesty pursuant to y^e said Message for the purposes therein mentioned

Ordered, that the Honble Dan^l Horsmanden Esq do acquaint the General Assembly wth the s^d order and request them to appoint a Committee to meet the s^d Committee at the Council Chamber on Wednesday morning next at ten of the clock for the purpose a^d

Then the Council adj^d till 4 of the clock of the afternoon

Monday, Nov^r 23^d, 1711. Post Merid.

The Council met according to adjournment

PRESENT — *The Honble ARCH^d KENNEDY, Esq, Speaker,*

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Bill Entitled, An Act to Restrain disorderly and unlawfull Gameing Houses in y^e Colony of New York was read a third time and

On the Question being put

Resolved, that the said Bill do pass

The Bill Entitled, An Act to oblige all Persons that shall come to Inhabit or reside in the City of New York in order to Expose any Goods Wares or Merchandizes to sale at any time after the Annual Assessment made for the Tax for the maintenance of the Minister & Poor of the said City to pay their due Proportion towards the same was read a third time and

On the Question being put

Resolved, that the said Bill do pass

The Bill Entitled, An Act to apply the monies granted for Support of this Governm^t For payment of the Salaries Services and contingencies therein mentioned untill the first of September one thousand seven hundred and forty two and for transporting Recruits to the West Indies was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Philip Cortlandt Esq do acquaint y^e Assembly that the Council have passed the said Bills with^t any amendment

The Bill Entitled, An Act in Addition to An Act Entitled, An Act to prevent Vagrant and Idle Persons from being a charge and Expence to any the Counties, Cities Towns, Manors and Precincts within this Province was read a third time as amended

The Question was put

Whether the said Bill do pass? and

It was carried in the negative

Then the Council adjourned till to morrow four of the clock in the afternoon

Tuesday, Nov^r 24th, 1711. Post Merid.

The Council met according to adjournment

PRESENT — *The Honble PHILIP CORTLANDT, Esq, Speaker,*

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning eleven of y^e clock

Wednesday, Nov^r 25th, 1741.

The Council met according to adjournm^t

PRESENT— *The Honble* ARCH^d KENNEDY, Esq, Speaker,

PHILIP CORTLANDT, Esq^r,

HENRY LANE, Esq^r,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council resolved themselves into a Cōmee on the Bill Entitled, An Act to Revise Digest and Print the Laws of this Colony from the happy Revolution

The Cōmee having duely weighed & considered of the said Bill and being ready to make their Report thereon when the Council would be pleased to receive the same

Ordered, that the said Report be now made

Then the Hōnble Dan^l Horsmanden Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the same and had directed him to report it without any amendments

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read a 3^d time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Hōnble Philip Cortlandt Esq^r do acquaint the Generall Assembly that the Council have past the said Bill without any amendment

Then the Council adjourned till to morrow morning 10 of y^e clock

Thursday, Nov^r 26th, 1741.

The Council met according to adjournm^t

PRESENT— *The Honble* ARCH^d KENNEDY, Esq., Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

The Hōnble Daniel Horsmanden Esq^r in his place reported that in pursuance of the order of the Council of Monday last M^r Courtlandt and himself with the Committee appointed by the Assembly had waited on his Honour the Lieut^t Governour to desire him to Join with the Council and Generall Assembly in an humble Address to his Majesty for the purpose mentioned in the Message from the Assembly dated the 17th Instant and that his Honour had been pleased to decline Joining therein

Then the Council adjourned till 3 of the clock in the afternoon

Thursday, Nov^r 26th, 1741. Post Merid.

The Council met according to adjournment

PRESENT as before

The Speaker assumed the Chair

A Message from the Assembly by M^r Nicoll with a copy of a Minute of the Generall Assembly which is in the words following

Die Jovis 3 h. P. M. 26th November 1741

Coll^o Philipse from the Committee appointed to Join a Committee of the Council reported that both Committees had waited on the Lieut^t Governour and desired him to Join with the Council and Assembly in an humble address Intended to be made to his M^{ty} for the Purpose mentioned the 17th Instant and that his Honour had been pleased to decline Joining therein

And the House conceiving from his Majestye's usual Goodness that he will graciously grant a sum of money for erecting Buildings suitable for his Governours here Especially as the former have been destroyed by the late wicked conspiracy

Ordered, that Mr Nicoll do carry a copy of this minute to the Gentlemen of the Council and to desire that they will appoint a Committee of their Board and a time and place to meet a Committee of this House in order to prepare An Address proper for the purpose therein mentioned

Ordered, thereupon that the Honble Philip Courtlandt and Daniel Horsmanden Esq^{rs} be a Committee to meet the Committee of the Generall Assembly and that they meet immediately in the Library for the purpose a^d and

Ordered, that the Honble Henry Lane Esq^r do acquaint the Assembly therewith

Mr Courtlandt & Mr Horsmanden withdrew and being returned

The Honble Daⁿ Horsmanden Esq^r Report that Mr Courtlandt and himself had met the Committee of the Generall Assembly and prepared the Draught of an Address to his Majesty which he presented to the Council

Which being read was

On the Question being put approved of

A Message from the Assembly by Mr Clarkson acquainting the Council that the House do agree to the said address and that if it be signed and sent by them the House will order it to be signed likewise

Then the said Address was signed by four of the Gentlemen of the Council to wit the Honble James De Lancey, Philip Courtlandt, Henry Lane and Daⁿ Horsmanden Esq^{rs} The Honble Arch^d Kennedy Esq^r not agreeing to the said Address and refusing to sign the same

Ordered, that the Honble Daⁿ Horsmanden Esq^r do carry the said address as signed

Ordered, that the said Address be Entred in the Minutes and is in the words following

To the KING's most Excellent MAJESTY

The Humble ADDRESS of the Council and the Generall Assembly of the Colony of New York

May it please y^r m^t Excellent Majesty

We your Majesties most Dutifull and faithfull subjects, The Council and the General Assembly of your Majesty's Loyall Colony of New York beg leave humbly to represent unto your sacred Majesty

That there have been erected here from time to time, as the circumstances of the Colony did Enable them, in the Fort, which has the Honor to bear your Majesties name, a House, Chappel, Secretaries Office, as likewise Barracks for the Troops, in so stately a manner, that it was allowed none of your Majesties Governors in America Enjoyed so noble a Residence

That in consequence of a late most wicked conspiracy formed by some white People and a great number of Slaves for setting fire to the houses and murdering the Inhabitants of this City, their first attempt was to destroy the said Buildings, in which they unhappily succeeded by the means of a very strong wind, so that all of them were reduced to ashes in a very few hours, notwithstanding the fire Engines and the utmost diligence of the Inhabitants to Extinguish the Flames

That since the melancholy Incident the Colony hath erected good new Barracks for your Majesties Troops, and a Secretaries office to preserve the Publick Records, as these were conceived most Immediately necessary 'tho even this could not have been effected but by anticipating and prolonging one of its Funds

And that the Circumstances of this Colony as well by Debts formerly contracted, as by Erecting many Forts and Fortifications for its Defence against attempts by Sea and Land, and y^e constant and Honourable support of Government Render it unable to bear the Expence of erecting Edifices suitable for the Residence of your Majesties Governour, over a Colony immediately depending on your Majesty, seated in the center and the most exposed of any of the British Dominions on this Continent

We therefore most humbly implore your sacred Majesty as well in behalf of this Colony as for the Honour & suitable accommodation of your Majty's Governours that your Majesty will be graciously pleased to grant for the rebuilding of the Edifices aforesaid, such a sum as your Majesty in your great Wisdom & Goodness shall Judge requisite for that purpose We are

May it please y^r most Excellent Majesty

Your Majesties most Dutifull and Loyall Subjects

James De Lancey
Philip Courtlandt
Henry Lane
Daⁿ Horsmanden

Then the Council adjourned till to morrow morning 11 of the clock

Fryday, Nov^r 27th, 1741.

The Councill met according to adjournment

PRESENT— *The Honble* ARCH^d KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieut^e Governour attended as usual being come to the Councill Chamber sent a Message by the Deputy Clerk of the Councill to the Generall Assembly requiring their Immediate attendance at the Councill Chamber

The Generall Assembly attending accordingly with their Speaker

His Honour in the presence of the Councill and Generall Assembly gave his Assent to the following Bills viz^t

1 An Act to apply the Monies Granted for Support of this Government for payment of the Salaries Services and contingencies therein mentioned untill the first of September 1742 and for transporting Recruits to the West Indies

2 An Act to continue An Act Entitled, An Act to regulate the Militia of this Colony with a further addition thereto

3 An Act to oblige all Persons that shall come to Inhabit or reside in the City of New York in order to expose any Goods Wares or Merchandizes to sale at any time after the annual assessm^t made for the Tax for the maintenance of the Minister and Poor of the said City to pay their due proportion towards the same

4 An Act for mending and keeping in Repair the Publick Wells and Pumps in the City of New York

5 An Act for the Returning of able and sufficient Jurors and for the better regulation of Juries

6 An Act to Revise, Digest and Print the Laws of this Colony from the Happy Revolution

7 An Act to Restrain disorderly and unlawfull Gameing Houses in the Colony of New York

8 An Act to prevent the killing of Deer out of season

9 An Act to encourage the destroying of Wild Cats in the County of Suffolk

10 An Act to alter the High Way or Publick Road from the West to the East part of David Coreys Land Running along the cliff or Bank thereof

11 An Act for returning Neat Cattle and Sheep to their owners

Then His Honour addressing himself to the Generall Assembly was pleased to say that after the Acts a^d were published the House might repair to the Assembly Chamber & adjourn itself to the third Tuesday in March next

After which the Said Acts were published at the City Hall wth y^e usual Solemnity and his Hon^r returned back to his House

Then the Councill returned to the Councill Chamber

PRESENT as before

The Speaker assumed the Chair

His Honour the Gov^t having directed the Generall Assembly to adjourn themselves to the third Tuesday in March next

The Councill therefore adjourned to the said third Tuesday in March then to proceed to Business without further notice

Tuesday, March 16th, 1741.

The Councill having adjourned to this Day met according to the said adjournment

PRESENT— *The Honble* ARCHBALD KENNEDY, Esq^r,

PHILIP CORTLANDT,
DANIEL HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Governour having directed the Generall Assembly to adjourn themselves to third Tuesday in Aprill next

The Councill therefore adjourned to the said third Tuesday in Aprill then to proceed to Business with^t further Notice

TWENTY-SECOND ASSEMBLY EIGHTH SESSION.

At a Session of the Council and Generall Assembly began at the City Hall in the City of New York, on Tuesday the 20th day of April, 1742.

The Generall Assembly having stood adjourned to this day
The Council met at the Council Chamber

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council being informed that there was not a Sufficient number of the members of the Generall Assembly in Town to make a House
Adjourned till Thursday morning 10 of the clock

Thursday, Aprill 24th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honor the Lieutenant Govern^r being come to the Council Chamber attended as usual sent a message by the Deputy Clerk of the Council to the Generall Assembly requiring their Immediate Attendance at the Council Chamber

The Generall Assembly Attending Accordingly with their Speaker

His Honour made a Speech to the Council and Generall Assembly and delivered a copy thereof to the Speaker of the Council and another to the Speaker of the Generall Assembly

After which His Honour left the Council Chamber

Then the Speaker resumed the Chair

Ordered, That His Honours Speech be read

Which being read accordingly It was further

Ordered, that the Same be Entred in the Minutes and is in the words following viz^t

Gentlemen,

The present Face of Affairs in Europe requires your sitting at this time, that you may make Speedy and Ample provision for putting the Fort in this Town in a Posture of Defence; and it greatly wants a thorough repair, some part of the wall being already fallen down and other parts in a tottering Condition, the sodwork mouldered away and the Bastions and Curtains without Platforms, and unless these things be done the Ordnance will be useless, and his Majesties gracious purpose in sending them for your Security will be defeated

Some charge has already accrued and more must unavoidably follow, in carrying the Ordnance and other stores to the Respective Forts and Batteries for which they are intended, and it will be the greater, as most of those Forts are remote from hence, particularly those at Oswego, in the Mohawks Country, and at Schenectady, and I recommend it to you to make suitable Provision for it, as well as for the victualling of a double Garrison at Oswego which will be highly necessary to preserve that important Place from falling into the Enemies hands in case of a Rupture

It is high time to set about building the House, Chappell and other Edifices that were consumed in the Fort as well as the Stables and Couch House without it that when the Governour comes he may not be unprovided of an Habitation and other conveniences suitable to his station, which is the more necessary to be speedily done, as he is soon expected, and no House that I know of to be hired that is fitt for his Residence

General Wentworth having sent Captain Cosby of Coll^o Gooch's Regiment to raise recruits in this Province for his Majesty's Service, I earnestly recommend it to you to provide for the Victualling and Transporting so many as he may raise, and to do it with all Expedition, which will not only forward the service but likewise prevent desertions and ease the Recruiting Officer of the great Expence of maintaining them, which may be too heavy for him to bear if they be not shipped off in a short time after they are Inlisted. Your Zeal and Dispatch herein will not fail of Recommending you to his Majesty

I have on the Request of the Onondages, Cayouges and Tuskaroras three of the Six Indian Nations sent a Smith to reside for a year at Cayouge, for the Payment of whom and of the Persons residing in the Senecas Country I hope you will provide, as it will much conduce to the keeping of the Indians steady in the British Interest.

When the Act for Regulating the Militia comes under your consideration it will be necessary by it, to oblige all men to an equal share of Duty in Day as well as Night Guards, that the Service be not too much imposed on them who have the least to defend, and little or nothing to Support their Families, but what they earn by their daily Labour

GEO. CLARKE

New York Aprill the 22^d 1742

Ordered, that his Honour's Speech be forthwith printed
Then the Councill adjourned till Wednesday morning next eleven of the clock

Wednesday, Aprill 28th, 1742.

The Councill met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
Then the Councill adjourned till Thursday the 6th day of May next

Thursday, May 6th, 1742.

The Councill mett according to adjournment

PRESENT — *The Honble* JAMES DE LANCEY, Esq, Speaker

HENRY LANE,
DAN^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair
Then the Councill adjourned till Thursday morning the 13th Instant 10 of the clock

Thursday, May 13th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* JAMES DE LANCEY, Esq, Speaker,

PHILIP CORTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Generall Assembly by Coll^o Philipse & Col^o Schuyler with a Bill Entitled, An Act to apply the sum of Six Hundred and Seventeen pounds thirteen shillings and four pence half penny for repairing Fort George for Transporting Voluntiers to the West Indies and for other the purposes therein mentioned Desiring the concurrence of the Council thereunto

Then the said Bill was read the first time &

Ordered to be read a second Time

Then the Council adjourned till Tuesday morning next 11 of the clock

Tuesday, May 18th 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act to apply the sum of six Hundred and seventeen pounds thirteen shillings and four pence half penny for repairing Fort George For Transporting Voluntiers to the West Indies and for other the purposes therein mentioned be now read a second Time

Then the said Bill was read a second time and

Ordered to be comitted to the Gentlemen of the Council or any five of them

Then the Council adjourned till Thursday morning next 10 of the clock

Thursday May 20th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* JAMES DE LANCEY Esq, Speaker,

PHILIP CORTLANDT,
HENRY LANE,
DA^{ll} HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by M^r Nicoll & M^r Clarkson with the Bill Entitled, An Act for Regulating the Payment of his Majesties Quit Rents and for partition of Lands in order thereto Desiring the concurrence the Council thereunto

Then the said Bill was read the first time &

Ordered to be read a second time

The Council adjourned till to morrow morning 10 of y^e clock

Fryday, May 21st, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Then the Bill Entitled, An Act for the Regulating the payment of his Majesties Quit Rents and for Partition of Lands in order thereto was read a second time and

Ordered to be committed to the Gentlemen of the Council or any five of them

Then the Gentlemen of the Council resolved themselves into a Committee to consider of the said Bill and also the Bill Entitled, An Act to apply the sum of six Hundred and seventeen pounds thirteen shillings and four pence half penny For Repairing Fort George for transporting Voluntiers to the West Indies and for other the purposes therein mentioned

The Committee having duely weighed and considered of the said Bills and being ready to make their Report thereon when the Council would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daⁿ Horsmanden Esq^r Chairman of the Committee to whom y^e s^d Bills were referred in his place reported that they had gone through the said Bills and had directed him to report the Bill Entitled, An Act for the regulating the payment of his Majesties Quit Rents and for partition of Lands in order thereto with an amendment thereto

Then the said amendment was read and

On the Question being put was agreed to and approved of

Ordered, that the said Bill be read a third time as amended

And the said Chairman further reported that the said Committee had directed him to report the Bill Entitled, An Act to apply the sum of six Hundred and seventeen pounds thirteen shillings and four pence half penny for repairing Fort George for transporting Voluntiers to the West Indies and for other the purposes therein mentioned without any amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be now read a third time

Then the said Bill was Read a third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that y^e Honble He^r Lane Esq^r do acqu^t the Gⁿ Assembly y^t y^e Council have passed the said Bill without amendm^t

Then the Council adjourned till to morrow morning 9 of the clock

Saturday, May 22^d, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act for the regulating the payment of his Majesties Quit Rents and for partition of Lands in order thereto be now read a third time as amended

Then the said Bill with the said amendm^t was read a third time and

On the Question being put

Resolved, that the said Bill as amended do pass

Ordered, that the Honble Henry Lane Esq^r do carry the said Bill together with the said amendment made thereto to the Generall Assembly and acquaint them that the Council have past the said Bill with the s^d amendm^t To which they desire their concurrence

A Message from the Generall Assembly by Col^l Schuyler & M^r Nicoll with the Bill Entitled, An Act for regulating the payment of his Majesties Quit Rents & for partition of Lands in order

thereto with the amendm^t made by the Council to the same & to acquaint them that the Assembly have agreed to the said amendm^t & desire they would amend the said Bill accordingly

Then the said Bill was accordingly amended

His Honour the Lieut Gov^r attended as usual being come to the Council Chamber sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance at the Council Chamber

The General Assembly attending accordingly with their Speaker

His Honour in the presence of the Council & General Assembly gave his Assent to the two following Bills

1 An Act to apply the sum of six Hundred and seventeen pounds thirteen shill. and four pence half penny for repairing Fort George for transporting Volunteers to the West Indies & for other the purposes therein mentioned

2 An Act for regulating the payment of his Majesties Quit Rents and for partition of Lands in order thereto

Then his Honour addressing himself to the General Assembly was pleased to say that after y^e a^d Acts were published the House might repair to y^e Assembly Chamber and adjourn itself to the first Tuesday in August next

After which the said Acts were published at the City Hall with the usuall ceremony & his Honour returned back to his House

The Council returned to the Council Chamber

PRESENT as before

The Speaker assumed the Chair

His Honour the Lieut Gov^r having directed the Assembly to adjourn to the first Tuesday in Aug^t next

The Council therefore adjourned to the said first Tuesday in Aug^t then to meet & proceed to Business without further notice

Tuesday, Aug^t 3^d, 1742.

The Council met according to adjournm^t of y^e 22^d May last

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY, Esq^r,

HENRY LANE,

DAN^l HORSMANDEN, Esq^r.

There not being a sufficient number of members of the General Assembly in Town to make a House & it not being probable that more would come to Town by reason of the present sickness And the Assembly having with his Honours concurrence adjourned to the third Tuesday in September next

The Council therefore adjourned to the Said third Tuesday in Sept^r

Tuesday, Sep^r 14th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

HENRY LANE,

DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A sufficient number of members not being in Town to make a House and the sickness in this Town continuing

The Council adjourned till the 28th Instant

Tuesday, Sep^r 28th, 1742.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adjourned till to morrow afternoon 3 of y^e clock

Wednesday, Sep^r 29th, 1742.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r,

JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

The Same Reasons still subsisting the Council with the approbation of his Honour adj^d to the 2^d Tuesday in Oct^r next

TWENTY-SECOND ASSEMBLY NINTH SESSION

Tuesday, Oct^r 12th, 1742.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

Then the Council adj^d till to morrow morning 9 of y^e clock

Wednesday, Oct^r 13th, 1742.

The Council met according to adjournm^t

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

His Honour the Lieut Gov^r being come to the Council Chamber attended as usual sent a Message by the Deputy Clerk of the Council to the Generall Assembly requiring their Immediat attendance in the Council Chamber

The Generall Assembly attending accordingly with their Speaker
 His Honour made a Speech to the Council & Generall Assembly and delivered a copy thereof
 to the Speaker of the Council and another to the Speaker of the Generall Assembly
 After which his Honour left the Council Chamber
 Then the Speaker resumed the Chair
Ordered, that his Honours Speech be read
 Which being read accordingly
Ordered, that the same be Entred in the Minutes and is in words following

Gentlemen,

The Government being at present without any support I earnestly recommended to you to take it into your immediate consideration, and to make such ample and honourable Provision for it as former Assemblies have done

The Act to Support the Garrison at Oswego being by its Limitation to expire on the first of November, in this present year, it is requisite that you prepare another Bill to be passed before that time, and as a Rupture with France seems almost unavoidable it is absolutely necessary to provide for the victualling a Garrison of forty men, lest for want thereof, that important place should fall into the Enemies hands, the consequence whereof will be the loss of your most valuable branch of trade, and but too probably occasion a Defection of the Six Nations; An event that demands your most serious attention, as every part of the Province, how remote soever some of the Counties may be, from those nations will soon feel the cruel effects of it. Whatever happens I shall have the satisfaction of having done my Duty in pressing you to do yours, and I hope you will leave nothing undone that may give the people whom you represent cause to reproach you. The sense that I have of the vast consequence that the fidelity of these nations is to the British Interest in General, and to this province in particular and of the constant Arts and Intrigues of our national Enemy to seduce them, makes me thus warm in my Expressions. Had you the like opportunities that I have of knowing those things, I am persuaded your zeal would keep pace with mine, and make what I say needless or but matters of form, but as many of you live very distant from those Nations, and can consequently know little of their Importance to us, but by Information, I cannot, with the discharge of my Duty, be silent or less earnest.

Captain Cosby has raised and sent to Jamaica twenty Recruits for his Majesties American Regiment, and I hope you will make Provision for paying the Expence of their Transportation, being persuaded that your Zeal for his Majesties service, which has carried you to a much greater Expence on the like occasion, will very readily lead you to this.

There are several things that I recommended to you at your last sitting, some of which being but in part, and others not at all provided for, I now again recommend them to your consideration referring you to what I then said

GEO. CLARKE.

New York *October* the 13th 1742.

Ordered, that His Honour's Speech be forthwith printed
 Adjourned till Tuesday morning next 11 of the clock

Tuesday Oct 19th, 1742.

The Council met according to adjournment

PRESENT— *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
 HENRY LANE,
 DA^U HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll^o Schuyler & Captⁿ Livingston with the Bill Entituled, An Act further to continue as well An Act to Regulate the Militia of this Colony as the other Acts therein mentioned by which the same hath been continued desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read the first time

Then the said Bill was read the first time &

Ordered to be read a second time

The Council adjourned till to morrow morning 11

Wednesday, Oct^r 20th, 1742.

The Councill met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DANIEL HORSMANDEN, Esq^{rs}

The Speaker assumed the Chair

Adj^d till to morrow morning 10 of the clock

Thursday, Oct^r 21st, 1742.

The Councill mett according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll^o Schuyler & Mr Jones with the Bill Entitled, An Act for and towards supporting the Government of this Colony by Granting to his Majesty the Duties therein mentioned from the first day of December one thousand seven hundred and forty to the first day of December one thousand seven hundred and forty one desiring the concurrence of the Councill thereto

A Message from the Assembly by Coll^o Schuyler & Cap^t Bradt with the Bill Entitled, An Act for the more Effectuall Fortifying the City of Albany Desiring the concurrence of the Councill thereto

Ordered, that the said Bills be now read the first time

Then the said Bills were read the first time &

Ordered to be read a second time

Ordered, that the Bill Entitled, An Act Further to continue as well An Act to Regulate the Militia of this Colony as the other Acts therein mentioned by which the same hath been continued be now read a second time

Ordered, that the said Bill be comitted to the Gentlemen of the Councill or any five of them
Then the Councill adjourned till to morrow morning 10 of y^e clock

Fryday Oct^r 22^d, 1742.

The Councill mett according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

A Message from the Assembly by Coll^o Moore & M^r Clarkson with the Bill Entitled, An Act to let to Farm the Excise on Strong Liquors retailed in this Colony for one year which will end the first day of November 1743 desiring the concurrence of the Councill thereto

Ordered, that the said Bill be now read y^e first time

Then the said Bill was read the first time &

Ordered to be read a second time

Then the Councill adj^d till Tuesday morning next 10 of y^e clock

Tuesday, Oct^r 26th, 1742.

The Councill met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq., Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAN^l HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act for the more Effectual Fortifying the City of Albany be now read a second time

Then the said Bill was read a second time &

Ordered to be comitted to y^e Gent^l of y^e Councill or any 5 of them

Ordered, that the Bill Entitled, An Act to Let to farm the Excise on Strong Liquors retailed in this Colony for one year which will end the first day of November 1743 be now read a second Time

Then the said Bill was read a second Time & comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act further to continue An Act for and towards the Supporting the Government of this Colony by Granting to his Majesty the Duties therein mentioned from the first Day of December 1740 to the first Day of December 1741 be now read the second time

Then the said Bill was read the second time and comitted to the Gentlemen of the Councill or any five of them

Then the Councill resolved into a Committee to consider of the said Bills and also of the Bill Entitled, An Act further to continue as well An Act to regulate the Militia of this Colony as the other Acts therein mentioned by which the same hath been continued

The Committee having duely weighed and considered of the said Bills and being ready to make their R^port thereon when the Councill would please to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daniel Horsmanden Esq^r Chairman of the Committee to whom the said Bills were referred in his place reported that the Committee had gone through the said Bills and had directed him to report them without amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bills be read a third time

A Message from the Assembly by Mr Jones and Mr Corneil with the Bill Entitled, An Act to Revive An Act Intituled, An Act to prevent the Penning & Folding of Sheep and Neat Cattle feeding on Hempstead plains desiring the concurrence of the Councill thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time and

Ordered, to be read a second time

Adjourned till four of the clock in the afternoon

Tuesday, Oct^r 26th, 1742. P. M.

The Councill met according to adjournment

PRESENT as before

The Speaker assumed the Chair

A Message from the Assembly by Mr Clarkson & Col^o Moore with the Bill Entitled, An Act for paying out of the moneys appropriated for the Support of this Government the Salaries, services & Contingencies therein mentioned untill the first day of September one thousand seven hundred and forty three desiring the concurrence of the Councill thereto

Then the said Bill was read the first time &

Ordered to be read a second time

A Message from the Assembly by Capt^l Livingston and Capt^l Winne with the Bill Entitled, An Act for supporting the Garrison at Oswego and to regulate the Fur Trade in the County of Albany desiring the concurrence of the Councill thereto

Then the said Bill was read the first time &

Ordered to be read a second time

Adj^d till to morrow morning 10 of y^e clock

Wednesday, Oct 27th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act further to continue An Act Entitled, An Act for and towards supporting the Government of this Colony by Granting to his Majesty the Duties therein mentioned from the first day of Dec^r 1740 to the first day of Dec^r 1741 be now read y^e third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entitled, An Act to Let to Farm the Excise on Strong Liquors retailed in this Colony for one year which will end the first day of Nov^r 1743 be now read the third time

Then the said Bill was read the third time &

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Daⁿ Horsmanden do acquaint the Generall Assembly that the Council have passed the said Bills without any amendment

Ordered, that the Bill Entitled, An Act further to continue as well An Act Entitled, An Act to regulate the Militia of this Colony as the other Acts therein mentioned by which the same has been continued be now read a third time

Then the said Bill was read y^e third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entitled, An Act for the more Effectual Fortifying the City of Albany be now read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Philip Cortlandt Esq^r do acquaint the Generall Assembly that the Council have passed the said Bill without amendment

Ordered, that the Bill Entitled, An Act for supporting the Garrison at Oswego and to regulate the Furr Trade in the County of Albany be now read a second time

Then the said Bill was read the second time and committed to the Gentlemen of the Council or any five of them

Ordered, that the Bill Entitled, An Act to revive An Act Entitled, An Act to prevent the Penning and Folding of Sheep and neat Cattle feeding on Hempstead Plains be now read a second time

Then the said Bill was read the second time & committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Alderman Moore & Alderman Roome with the Bill Entitled, An Act for Explaining and rendering more effectual An Act of the Generall Assembly Intituled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make good their respective Quotas of all publick Taxes desiring the concurrence of the Council thereto

Then the said Bill was read the first time &

Ordered, to be read a second time

A Message from the Assembly by Captⁿ Livingston and Captⁿ Bradt with the Bill Entitled, An Act for the better clearing regulating and further laying out Publick High Roads in the City and County of Albany desiring the concurrence of the Council thereto

Then the said Bill was read the first time &

Ordered to be read a second time

Ordered, that the Bill Entitled, An Act for paying out of the monies appropriated for the Support of this Government the Salaries Services & contingencies therein mentioned untill the first day of Sept^r 1743 be now read the second time

Then the said Bill was read the second time & committed to the Gentlemen of the Council or any five of them

The Council resolved themselves into a Committee to consider of the said Bill

The Committee having duly weighed and considered of the said Bill and being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daⁿ Horsmanden Esq^r Chairman of the Committee to whom the said Bill was referred in his place reported that the Committee had gone through the said Bill and had directed him to report the same without amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bill be read a third time

Then the Council adjourned till four of the clock in the afternoon

Wednesday, Oct^r 27th, 1742. 1st Merid.

The Council met according to adjournment

PRESENT as before

The Speaker assumed y^e Chair

The Gentlemen of the Council resolved themselves into a Com^{tee} to consider of the Bill Entitled, An Act for Supporting the Garrison of Oswego and to regulate the Furr Trade in the County of Albany and also of the Bill Entitled, An Act to revive An Act Entitled, An Act to prevent the Penning and Folding of Sheep and Neat Cattle feeding on Hempstead Plains

The Committee having duly weighed and considered of the said Bills and being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daⁿ Horsmanden Esq^r Chairman of the Committee to whom the said Bills were referred in his place reported that the Committee had gone through the s^d Bills and had directed him to report them with^t amendm^t

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bills be read the third time

A Message from the Assembly by M^r Terbos and M^r Hardenbergh with the Bill Entitled, An Act to Encourage the Destroying of Wolves and Panthers in the Counties of Ulster, Dutchess and Orange desiring y^e concurrence of the Council therefo

Then the said Bill was read y^e first Time &

Ordered to be read a second time

Then the Council adjourned till to morrow morning 10 of y^e clock

Thursday Oct^r 28th, 1742.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

DAⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act for the better clearing regulating and further laying out publick High Roads in the City & County of Albany be now read y^e second time

Then the said Bill was read the second time & Committed to the Gentlemen of the Council or any five of them

Ordered, that the Bill Entitled, An Act to encourage the Destroying of Wolves and Panthers in the Counties of Ulster Dutchess and Orange be now read a second time

Then the said Bill was read the second time & committed to the Gentlemen of the Council or any five of them

Ordered, that the Bill Entitled, An Act for Explaining and rendring more Effectual An Act of the General Assembly of this Colony Entitled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make good their respective Quota's of all publick Taxes be now read the second time

Then the said Bill was read y^e second time & comitted to the Gentlemen of the Councill or any five of them

Ordered, that the Bill Entitled, An Act for paying out of the moneys appropriated for the support of this Government the salaries, services and contingencies therein mentioned untill the first day of Sept^r 1743 be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entitled, An Act to revive An Act Entitled, An Act to prevent the penning & Folding of Sheep and neat Cattle feeding on Hempstead plains be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the H^{on}ble Philip Cortlandt Esq^r do acquaint the Generall Assembly that the Councill have passed the said Bills without any amendment

Ordered, that the Bill Entitled, An Act for supporting the Garrison of Oswego and to regulate the Furr Trade in the County of Albany be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the H^{on}ble Daⁿ Horsmanden Esq do acquaint the Generall Assembly that the Councill have passed the said Bill without amendment

Then the Councill adjourned till four of the clock in the afternoon

Thursday, Oct^r 28th, 1742. P^t Merid.

The Councill met according to adjournment

PRESENT as before

The Speaker assumed the Chair

Then the Councill resolved themselves into a Committee to consider of the Bill Entitled, An Act for the better clearing, regulating & further laying out publick High Roads in the City and County of Albany, and also of the Bill Entitled, An Act to encourage the destroying of Wolves and Panthers in the Counties of Ulster Dutchess and Orange

The Committee having duely weighed and considered of the said Bills and being ready to make their Report thereon when the Councill would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the s^d Report be now made

Then the H^{on}ble Daⁿ Horsmandin Esq Chairman of the Committee to whom the said Bills were referred in his place reported that the Committee had gone through the said Bills and had directed him to report them without any amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bills be read a third time

Then the Councill adj^d till to morrow morning nine of the clock

Friday, Oct^r 29th, 1742.

The Councill met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

Daⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entitled, An Act for the better clearing, regulating and further laying out publick High Roads in the City and County of Albany be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entitled, An Act to encourage the destroying of Wolves and Panthers in the Counties of Ulster Dutchess and Orange be now read a third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Philip Cortlandt Esq^r do acquaint the Generall Assembly that the Council have passed the said Bills with^t any amendment

The Honble Daⁿ Horsmanden Esq moved that the Council might now resolve themselves into a Committee to consider of the Bill Entitled, An Act for Explaining and rendering more Effectual An Act of the Generall Assembly of this Colony Entitled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make Good their respective Quotas of all publick Taxes

Which on the Question being put passed in the negative

Resolved, that the further consideration of the said Bill be deferred till the next meeting of the Council

His Honour the Lient^t Governour attended as usall being come to the Council Chamber sent a Message by the Deputy Clerck of the Council to the Generall Assembly requiring their Immediate attendance at the Council Chamber

The Generall Assembly attending accordingly with their Speaker

His Honour in the presence of the Council and Generall Assembly gave his assent to the following Bills viz^t

1 An Act further to continue An Act for & towards supporting the Government of this Colony by granting to his Majesty the Duties therein mentioned from the first day of Dec^r 1740 to the first day of Dec^r 1741

2 An Act further to continue as well An Act entitled, An Act to regulate the Militia of this Colony as the other Acts therein mentioned by which the same has been continued

3 An Act to Let to farm the Excise on Strong Liquors retailed in this Colony for one year which will end the first day of November 1743

4 An Act for the more effectual fortifying the City of Albany

5 An Act for paying out of the monyes appropriated for the support of this Government the Salaries services and contingencies therein mentioned untill the first day of Sept^r 1743

6 An Act for supporting the Garrison of Oswego and to regulate the Furr Trade in the County of Albany

7 An Act for the better clearing regulating & further laying out publick High Roads in the City and County of Albany

8 An Act to encourage the destroying of Wolves and Panthers in the Countyes of Ulster Dutchess and Orange

9 An Act to revive An Act Entitled, An Act to prevent the penning and Folding of Sheep and neat Cattle feeding on Hampstead plains

Then His Honour addressing himself to the Generall Assembly was pleased to say that after the a^d Acts were published the House might repair to the Assembly Chamber & adjourn itself to the third Tuesday in the month of April next Ensuing then to meet without any further notice

After which the said Acts were published at the City Hall with the usall solemnity and his Honour returned back to his House

The Council returned to the Council Chamber

PRESENT as before

The Speaker assumed the Chair

His Honor the Gov^r having directed the Generall Assembly to adjourn themselves to the third Tuesday in Aprill next

The Council therefore adjourned to the said third Tuesday in Aprill next then to meet & proceed to Businesse without further notice

TWENTY-SECOND ASSEMBLY TENTH SESSION.

At a Session of the Council and General Assembly began at the City Hall, of New York, on Tuesday, the 19th day of April, 1743.

The General Assembly being adjourned to this day
The Council met at the Council Chamber

PRESENT — *The Hon^{ble}* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DA^r HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council being informed that there are not a sufficient number of the members of the General Assembly in Town to make a House they adjourned till Thursday morning 10 of the clock

Thursday, April 21st, 1743.

The Council met according to adjournment

PRESENT — *The Hon^{ble}* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
HENRY LANE,
DA^r HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honour the Lieut^t Governour being come to the Council Chamber attended as usual sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate Attendance at the Council Chamber

The General Assembly Attending Accordingly with their Speaker

His Honour made a Speech to the Council & General Assembly and delivered one Copy thereof to the Speaker of the Council and another Copy to the Speaker of the General Assembly

After which his Honour left the Council Chamber

Then the Speaker resumed the Chair

Ordered, that his Honours Speech be read

Which being read accordingly It was further

Ordered, that the same be entred in the Minutes and is in the words following

Gentlemen,

The nigh approach of the Winter at your last meeting not giving you time to provide for all those necessary things which I recommended to you, I now again refer to your consideration such of them as remain unprovided for, hoping that now too, you will think it hightime to Give the Fort in this Town a thorough repair as well as to lay in a Proper & sufficient Quantity of Powder, Ball and other necessary stores for that and all the others fforts and Batteries in the Province, that we may not be unprovided for our Defence in case the Enemy should at any time attack us, nor be then to seek for them, when it be too late. When these things come under your consideration, you will Remember that there is not a Flag for any of the Forts

The Presents which the french when they come into the Senecas Country feed those People with, makes it necessary that those whom we send to reside there should likewise have something to give to the Indians to prevent the Influence which otherwise the Enemy may gain over them, the Commissioners of Indian Affairs think it absolutely necessary, but at the same time declare that their allowance at this Critical juncture, is so small that they cannot furnish those Presents wherefore I recommend it to you to make some provision for that service

GEO CLARKE

New York April 21st 1743

Ordered, that the said Speech be forthwith printed

Then the Council adjourned till Tuesday morning 10

Tuesday, April 26th, 1743.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

Mr LANE,

Dan^d HORSMANDEN, Esq^r.

The Speaker assumed the Chair

Then the Council adjourned till to morrow morning 10 of the clock

Wednesday, April 27th, 1743.

The Council met according to adjournment

PRESENT — *The Honb^{le}* ARCHIBALD KENNEDY, Esq^r, Speaker,

HENRY LANE,

DAN^d HORSMANDEN, Esq^r.

The Speaker assumed the Chair

A message from the Assembly by Mr Clarkson and Mr Nicoll with the Bill Entitled, An Act to apply the sum of four Hundred pounds for providing and furnishing the Garrison in New York with Fire Wood & Candles from the thirteenth of June next to the thirteenth of June one thousand seven hundred and forty four desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time &

Ordered to be read a second time

A Message from the Assembly by Col^l Moore and Mr Jones with the Bill entitled, An Act to repeal part of An Act Intituled, An Act for the more effectual preventing and punishing the Conspiracy and Insurrection of Negro & other Slaves, for the better regulating them, and for repealing the Acts herein mentioned relating thereto desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time and

Ordered to be read a second time

The Council adjourned till to morrow morning 10 of the clock

Thursday, April 28th, 1743.

The Council met according to adjournment

A Message from the Assembly by Col^l Morris and Mr Jones with the Bill Entitled, An Act to regulate Prosecutions by Informations in the Snpreme Court of this Colony desiring the concurrence of the Council thereto

Ordered, that the said Bill be now read

Then the said Bill was read the first time &

Ord^d to be read a second time

Ordered, that the Bill Entitled, An Act to apply the sum of four hundred pounds for providing & furnishing the Garrison in New York with Fire Wood & Candles from the thirteenth of June next to the thirteenth of June one thousand seven hundred and forty four be now read the second time

Then the said Bill was read the second time & committed to the Gentlemen of the Council or any three of them

Ordered, that the Bill Entituled, An Act to repeal part of An Act Intituled, An Act for the more effectual preventing & punishing the conspiracy & Insurrection of Negro & other Slaves, for the better Regulating them & for repealing the acts therein mentioned relating thereto be now read y^e 2^d time

Then the said Bill was read the second time & Committed to the Gentlemen of the Council or any five of them

A Message from the Assembly by Capt^m Winne & Capt^m Bradt with the Bill Intituled, An Act to Enable the Mayor Recorder & Aldermen of the City of Albany and the Justices of the

peace of the said City & County to raise a further sum of four hundred pounds to finish & compleat the Court House & Goal for the said City and County desiring the concurrence of the Council there to

Then the said Bill was read the first time &

Ordered to be read the second time

Mr Attorney General having been informed that the Assembly had passed a Bill Entituled, An Act to regulate Prosecutions in the Supreme Court of this Colony and had sent the same to the Council for their concurrence he therefore prayed a copy of the s^d Bill and that he might be heard ag^t the same

Ordered, that Mr Attorney General have a Copy of the said Bill and that he have liberty to Speak to it before the Committee

The Council adjourned till to morrow morning 10

Friday, Aprill 20th, 1743.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
PHILIP CORTLANDT,
HENRY LANE,
DA^r HORSMAUNDEN, Esq^r.

The Speaker assumed the Chair

Ordered, that the Bill Entituled, An Act to regulate Prosecutions by Informations in the Supreme Court of this Colony be now read the second time

Then the said Bill was read the second time and Committed to the Gentlemen of the Council or any five of them

Ordered, that the Bill Entituled An Act to Enable the Mayor, Recorder & Aldermen of the City of Albany and the Justices of the Peace of the said City & County to raise a further sum of four hundred pounds to finish and compleat the Court House & Goal for the said City & County be now read the second time

Then the said Bill was read the second time and committed to the Gentlemen of the Council or any five of them

Ordered, that the Bill brought up from the Assembly at their last sitting Entituled, An Act for Explaining & rendring more effectual An Act of the Governour Council & Generall Assembly Intituled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make good their respective Quota's of all publick Taxes and which was then twice read & ordered to be committed but the further consideration thereof postponed till this meeting be now committed.

Then the Council resolved themselves into a Committee to consider of the said Bill & also of the Bill Entituled, An Act to apply the sum of four hundred pounds for providing and furnishing the Garrison in New York with Fire Wood and Candles from the thirteenth of June next to the thirteenth of June one thousand seven hundred and forty four and also of the Bill Entituled, An Act to Enable the Mayor Recorder and Aldermen of the City of Albany and the Justices of the Peace of the said City & County to raise a farther sum of four hundred pounds to finish and compleat the Court house and Goal for the said City and County

The Committee having duely weighed & considered of the said Bills and being ready to make their report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the Report be now made

Then the Honble Daniel Horsmanden Chairman of the Committee to whom the said Bills were referred in his place reported that the Committee had gone through the said Bills and had directed him to report them without any Amendment

Which Report on the Question being put was agreed to and approved of

Ordered, that the said Bills be each of them read a third time

The Council being ready to go into a Committee on the Bill Entituled, An Act to regulate Prosecutions by Informations in the Supreme Court of this Colony and His Majestyes Attorney General and Mr Murray of Council with him attending without were called in & pursuant to an order of the Council were heard ag^t the passing of the said Bill

Mr Attorney General & Mr Murray withdrew

Then the Council resolved themselves into a Committee to consider of the said Bill and after some time spent therein

The Speaker resumed the Chair

Then the Honble Da^r Horsmanden Esq^r Chairman of the Committee in his place reported that the Com^{tee} had made some progress in the said Bill and desired leave to sit again and

On the Question being put

Ordered, that the further consideration of the said Bill be postponed till the next session

Then the Council resolved themselves into a Committee to consider of the Bill Entituled, An Act to repeal part of An Act Intituled, An Act for the more effectual Preventing and Punishing the Conspiracy and Insurrection of Negro & other Slaves for the better regulating them & for repealing the Acts therein mentioned relating thereto

The Committee having duly weighed and Considered of the said Bill and being ready to make their Report thereon when the Council would be pleased to receive the same

The Speaker resumed the Chair

Ordered, that the said Report be now made

Then the Honble Daniel Horsmanden Esq^r Chairman of the Committee to whom the s^d Bill was referred in his place reported that the Committee had gone through the said Bill & had directed him to report it without amendment

Which Report on the Question being put was agreed to

Then the Question was put

Whether the said Bill be read the third time? and

It passed in the negative

Resolved, nemine Contradicente that the said Bill be rejected

Then the Council adjourned till 4 of the clock in the afternoon

Fryday, Aprill 29th, 1743. P^m Merid

The Council met according to adjournm^t

PRESENT as before

The Speaker assumed the Chair

Ordered, that the Bill Entituled, An Act to Enable the Mayor Recorder and Aldermen of the City of Albany and the Justices of the peace of the said City & County to raise a farther sum of four hundred pounds to finish & compleat the Court House and Goal for the said City & County be now read the third time

Then the said Bill was read the third time &

On the Question being put

Resolved, That the said Bill do pass

Ordered, that the Bill Entituled, An Act to apply the sum of four hundred pounds for providing & furnishing the Garrison in New York with Fire Wood & Candles from the thirteenth of June next to the thirteenth of June one thousand seven hundred and forty four be now read y^e third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Bill Entituled, An Act for Explaining and rendring more effectual An Act of the Governour Council and General Assembly Intituled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make Good their respective Quota's of all publick Taxes be now read the third time

Then the said Bill was read the third time and

On the Question being put

Resolved, that the said Bill do pass

Ordered, that the Honble Daⁿ Horsmanden Esq^r do acquaint the General Assembly that the Council have passed the said Bill without any amendment

The Council adjourned till to morrow morning 10 of the clock

Saturday, Aprill 30th, 1743.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq^r, Speaker,

JAMES DE LANCEY,

PHILIP CORTLANDT,

HENRY LANE,

Daⁿ HORSMANDEN, Esq^r.

The Speaker assumed the Chair

His Honour the Lieut^e Governour attended as usual being come to the Council Chamber sent a message by the Deputy Clerk of the Council to the General Assembly requiring their Immediate attendance at the Council Chamber

The General Assembly attended accordingly with their Speaker

His Honour in the presence of the Council and General Assembly gave his assent to the following Bills viz^t

1 An Act to enable the Mayor Recorder & Aldermen of the City of Albany and the Justices of the peace of the said City and County to raise a farther sum of four hundred pounds to finish and compleat the Court House & Goal for the said City and County

2 An Act to apply the sum of four hundred pounds for providing and furnishing the Garrison in New York with Fire Wood & Candles from the thirteenth of June next to the thirteenth of June one thousand seven hundred and forty four

3 An Act for Explaining and Rendering more Effectual An Act of the Governour Council and the Generall Assembly intituled, An Act to oblige the Inhabitants of each particular Ward within the City of New York to make Good their respective Quota's of all publick Taxes

Then His Honour addressing himself to the General Assembly was pleased to say that after the a^d Acts were published the House might repair to the Assembly Chamber & adjourn itself to the first Tuesday in August next then to meet without further notice

After which the a^d Acts were published at the City Hall with the usual solemnity and his Honour returned back to his House

The Council returned to the Council Chamber

PRESENT as before

The Speaker assumed the Chair

His Honour the Lieut Governor having directed the General Assembly to adjourn themselves to the first Tuesday in August next

The Council therefore adjourned themselves to the first Tuesday in August next then to meet without further notice

Tuesday, August the 2^d, 1743.

The Council met according to adjournment

PRESENT— *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,

HENRY LANE,

DA^t HORSMANDEN, Esq^r.

The Speaker assumed the Chair

There not being a sufficient number of members of the General Assembly in Town to proceed to Business and His Honor the Lieut Governour having directed them to adjourn to the fourth Tuesday in this month

The Council therefore adjourned to the fourth Tuesday in this month then to meet without further notice

Tuesday, Aug^t the 23^d, 1743.

The Council met according to adjournment

PRESENT— *The Honble* ARCHIBALD KENNEDY, Esq, Spea^r er,

JAMES DE LANCEY,

PHILIP CORTLANDT,

DA^t HORSMANDEN, Esq^r.

The Speaker assumed the Chair

The Council being informed that there were not a sufficient number of members in Town to proceed to Business and His Honour y^e Lieut Governour having directed them to adjourn to the first Tuesday in Sep^r

The Council therefore adjourned themselves to the first Tuesday in September being the sixth then to meet without further notice

Tuesday, September 6th, 1743.

The Council met according to adjournment

PRESENT — *The Honble* ARCHIBALD KENNEDY, Esq, Speaker,

JAMES DE LANCEY,
DA^l HORSMANDEN, Esq^{rs}.

The Speaker assumed the Chair

There not being a sufficient number of members in Town to proceed to Business and His Honour having directed the General Assembly to adjourn itself to the fourth Tuesday of this month then to meet & proceed to business without further notice

The Council therefore adjourned themselves to the fourth Tuesday of this Instant September which will be the 27th then to meet & proceed to Business without further notice

Tuesday, September 27th, 1743.

The Council met according to adjournment

PRESENT — *The Honble* CADWALLADER COLDEN, Esq^r, Speaker,

ARCHIBALD KENNEDY,
JAMES DE LANCEY,
HENRY LANE, Esq^{rs}.

The Speaker assumed the Chair

His Excellency the Honourable George Clinton Esq^r Captain General and Governour in Chief of this province having arrived here & published his Commission since the last sitting of the Council

His Excellency came to the Council Chamber and having taken his place sent a Message by the Deputy Clerk of the Council to the General Assembly requiring their immediate attendance at the Council Chamber

The General Assembly attending accordingly with their Speaker

His Excellency DISSOLVED the General Assembly by a Speech in the words following

Gentlemen,

As His Sacred Majesty has been graciously pleased to constitute me Captain General and Governor in Chief of this his loyal Province It is no small pleasure to me that I have this early opportunity of declaring, That I am come with a sincere intention to make the Prosperity of the Colony the Chief care and study of my administration, in Imitation of my Royal Master, who places his greatest Glory in the Happiness of his People

And as I am informed it has been the General Practise to have a new election of an Assembly upon the publication of new Commissions to Governours and that the continuance of that practice will be agreeable to the people of this province

I do therefore with the advice of his Majestyes Council and by Virtue of the power & Authority given to me by his Majestyes Letters patent under the Broad Seal of Great Britain, DISSOLVE the present General Assembly, and the said Assembly is DISSOLVED accordingly

GEORGE CLINTON

His Excellency then delivered a copy of his said Speech to the Speaker of the Council and returned with the usual Solemnity to his House

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